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THE LIFE OF THOMAS PAIN,

THE AUTHOR OF

RIGHTS OF MEN.

WITH

A DEFENCE OF HIS WRITINGS.

BY

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DUBLIN:

PRINTED FOR R. CROSS, P. BYRNE, P. WOGAN, A. GRUEBER, J. MOORE, J. JONES, T. HEERY, W. M'KENZIE, W. JONES, R. M'ALLISTER, AND H. WATTS.

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THE

LIFE

OF

THOMAS PAIN,

&c. &c. &c.

IT has been eſtabliſhed by the reiterated ſuffrage of mankind, that the lives of thoſe perſons, who have either performed uſeful actions, or neglected eſſential duties, ought to be recounted as much for an example to the preſent age, as for the inſtruction of future times.

Few men have more juſtly merited the honour of this notice, either as an example to be avoided at preſent, or as a leſſon to be learned hereafter, than the perſonage, whoſe actions we are now to recount, and whoſe writings we are about to defend.

The borough of Thetford, in the county of Norfolk, has in the ſame manner become dignified by the birth of Pain *, as the Rubicon was ennobled

 by

* Our author's real name is *Pain:* his fictitious name is *Paine* with a final *e:* For, his father's name was *Pain*; his own name was

by the paſſage of Cæſar. At Thetford he was born on the 29th of January, 1736-7. His father was Joſeph Pain, the ſon of a ſmall but reputable farmer, a ſtay-maker by trade, and a Quaker in religion: His mother was Frances Cocke, the daughter of an attorney at Thetford, and of the eſtabliſhed church. Joſeph Pain was a reputable citizen, and though poor, an honeſt man: Frances Cocke was a woman of a ſour temper and an eccentric character: and they were married in the pariſh of Euſton, near Thetford on the 20th of June, 1734*. By thus taking his wife from *the church*, Joſeph Pain was by his own act and the rules of the Quakers, at once expelled from their community. But, neither this irregularity, nor this expulſion, prevented that benevolent ſect from pitying his diſtreſſes through life, and relieving his wants as they were ſeen. The father and mother both lived to know their ſon's vices, to pity his misfortunes, to hear of his fame, but to partake little of his bounty †. It aroſe probably from the tenets of the father and the eccentricity of the mother, that our author was never baptized ‡, though he was privately named, and never

was *Pain*, when he married, when he correſponded with the Exciſe, and when he firſt appeared in America: but finding ſome inconvenience in his real name, or ſeeing ſome advantage in a fictitious one, he thus changed the name of his family; and he thus exerciſed a freedom, which only great men enjoy for honourable ends.

* See the regiſter of the pariſh of Euſton.

† Joſeph Pain was buried at Thetford on the 14th of November, 1786, aged 78.—Frances Pain, widow, was buried on the 18th of May, 1789, recorded to be 94: but, as ſhe was born in January 1697-8, the pariſh regiſter makes her age to be greater than it was, though ſhe had far outlived the period which is aſſigned to mortals.

‡ As he was not baptized, the baptiſm of Thomas Pain is not entered on the pariſh books of Thetford. It is a remarkable fact, that the leaves of the two regiſters of the pariſhes of St. Cuthbert's and

never received, like true Chriſtians, into the boſom of any church, though he was indeed confirmed by the biſhop of Norwich; owing to the orthodox zeal of Miſtreſs Cocke, his aunt, a woman of ſuch goodneſs, that though ſhe lived on a ſmall annuity, ſhe imparted much of this little to his mother, while he neglected his aged parent, amidſt his cares for mankind.

Our author was educated at the free-ſchool of Thetford, under Mr. Knowles, who, whatever were his merits, it is ſaid, never to have riſen to be maſter. The expence of young Pain's education was defrayed, in ſome meaſure, by his father, but chiefly by the relations of his mother. He was deemed a ſharp boy, of unſettled application; but he left no performances which denote juvenile vigour, or uncommon attainments. His tuition was directed, by his expectations, to what is uſeful, more than to what is ornamental; to reading, writing, and cyphering, which are ſo commodious to tradeſmen rather than to claſſical knowledge, which is ſo decorous in gentlemen. With ſuch inſtruction, he left the ſchool at the age of thirteen, in order to learn his father's trade. The buſineſs of a ſtay-maker he never liked, or indeed any occupation, which required attentive diligence and ſteady effort. He, however, worked on with his father, fitting ſtays for the ladies of Thetford, during ſix years, except for a ſhort while that he laboured with his couſin, in making bodices for the girls of Shipdam, in the

and St. Peter's, in Thetford, containing the marriages, births, and burials, from the end of 1733, to the beginning of 1737, have been completely cut out. Thus a felony has been committed againſt the public, and an injury done to individuals, by a hand very malicious and wholly unknown. Whether our author, when he reſided at Thetford in 1787, looked into theſe regiſters for his own birth; what he ſaw, or what he did, we will not conjecture. They contain the baptiſm of his ſiſter Elizabeth, on the 28th of Auguſt, 1738.

county of Norfolk. But tho' he had thus been educated, according to the recommendation of Mr. Locke; though a trade be better than a houſe and land; yet the trade, and houſe, and land, are of no avail, if the perſon have not moral rectitude, and no heedful induſtry.

At the age of twenty, and in the year 1757, our author adventured to London the common receptacle of the valient and the wiſe, of the needy and the opulent, of the buſy and the idle. In this crowd, which confounds the greateſt with the leaſt, Pain cannot be diſtinguiſhed. With whom he worked, or whom he fitted, tradition has not recounted. It is, however, certain, that London did not enjoy long the honour of his reſidence; no maſter was helped for many months by his journeywork; and few ladies had the happineſs of being ſtayed by his ſkillful hand.

He was ſoon prompted by his reſtleſſneſs, to look for new proſpects at Dover, in 1758. For almoſt a twelvemonth our author worked with Mr. Grace, a reſpectable ſtaymaker in that ancient cinque port. Meantime, Miſs Grace either won our author's heart, or our author attempted to win the heart of Miſs Grace. And the father was thus induced to lend him twelve pounds, in order to enable our adventurer to ſet up as a maſter ſtaymaker at Sandwich. Yet it is certain, that he neither married the lady, nor repaid the loan.

At Sandwich he ſettled early in 1759. Biographers have been diligent to diſcover in what houſes famous men had lived at particular periods of their depreſſion, or their elevation. Of our author it can be only told, that he lodged in the market-place. The well known antiquary of this ancient port has not yet determined, whether he were not the firſt who had here uſed the miſtery of ſtay-making. It is, however, certain, that he practiſed other arts.

There

There is a tradition, that in his lodging he collected a congregation, to whom he preached as an independent, or a methodiſt. While thus occupied, he became enamoured of the perſon, or the property, of Mary Lambert, the waiting maid of the wife of Richard Solly, an eminent wollen draper at Sandwich. Mary Lambert, who is ſtill praiſed by her own ſex as a pretty girl of modeſt behaviour, our author married on the 27th of September, 1759 *. She was the daughter of James Lambert, who, with his wife Mary, came to Sittingbourne, as an exciſeman, ſome time before the year 1736; and who was ſoon after diſmiſſed for miſconduct: on this diſmiſſal he ſet up a ſhop, and made greater gains by acting as bum-bailiff of Sittingbourne: yet he died in bad circumſtances, on the 24th of May, 1753†; his wife dying about the ſame time, in a mad houſe. The women of Sandwich, to this hour, expreſs their ſurpriſe, *that ſo fine a girl ſhould have married ſo old a fellow:* yet, Mary was ſcarcely twenty-one ‡; while Thomas was only twenty-two. The fact is, that our author has always appeared to female eyes a dozen years older than he was, owing to the hardneſs of his features, or to the ſcars of diſeaſe.

Marriage

* In the church regiſter there is the following entry:—Thomas Pain, of the pariſh of St. Peter's, in the town of Sandwich in Kent, bachelor, and Mary Lambert, of the ſame pariſh, ſpinſter, were married in this church, by licence, this 27th day of Sept. 1759, by me.

WILLIAM BUNCE, Rector.

In the preſence of
THOMAS TAYLOR,
MARIA SOLLY,
JOHN JOSLIN.

THOMAS PAIN,
MARY LAMBERT.

† The Pariſh Regiſter of Sittingbourne.

‡ Mary, the daughter of James and Mary Lambert, was baptized on the 1ſt of January, 1738. See the pariſh regiſter of Sittingbourne.

Marriage is the great epoch of a man's life. Our author was now to maintain his wife and family by his trade. The tradition of Sandwich ſtill repeats, that he expected a fortune on his marriage, which he never found. In expectation there are doubtleſs degrees of compariſon. A man beginning life, as a ſtay-maker, on twelve pounds of borrowed money, has other hopes and other fears, than men of vaſt wealth and unbounded expectancy. He certainly was diſappointed both in his pleaſure and his profit: and diſappointment has a ſad effect on the human conſtitution. Two months had hardly elapſed, when our author's ill uſage of his wife became apparent to the whole town, and excited the indignation of ſome, with the pity of others. Influenced by the genuine goodneſs of the Engliſh character, Mrs. Solly relieved the diſtreſſes of her favourite maid with conſtant ſolicitude. For almoſt a twelvemonth this unhappy couple lived in comfortleſs lodgings. At length he took a houſe, without being able to furniſh it. Mr. Rutter, a reputable broker of Sandwich, ſupplied him with ſuch furniture as he wanted. But it ſoon appeared that our author rather deſired relief than wiſhed for reſidence. And being embarraſſed with debts, and goaded by duns, he took the opportunity of the firſt Sunday morning to ſail from Sandwich, with his wife and goods, to Margate; where he ſold by auction the ſame furniture, which Mr. Rutter had ſupplied him with on credit.

Our author, we fear, committed on this occaſion an old crime, which has now a new name. In Henry VIIIth days, he who obtained another's property by falſe tokens, was puniſhed, by pillory, as a cheat *. In George IId's reign †, perſons convicted

* By 33 Hen. VIII. ch. 1.
† By 30 Geo. II. ch. 24.

victed of obtaining goods by falſe pretences, were to be tranſported, as ſwindlers. What a fine opportunity for our metaphyſical ſtateſmen to diſcuſs, not ſo much our author's practice, as our author's principles. Had Thomas Pain been indicted at the Old Bailey, he might have inſiſted, as he now inſiſts, that the laws of England did not exiſt; and that the judges did not ſit on the bench. The court would have been reduced to the dilemma of either ſending him to Bedlam, or to Bridewell; or of proceeding with the trial, and adjuging the guilty culprit to the colonies, or the cart's tail. The beforementioned metaphyſicians would have perhaps exclaimed, *that in force there is no argument.* True: But, as philoſophers, you do not ſurely diſpute firſt principles; as logicians, you muſt not argue againſt facts. Whether the laws of Great Britain actually exiſt, is not a theory to be debated, but a fact to be acknowledged: and he who denies the exiſtence of thoſe objects, which with his ſenſes he perceives, is not ſo much a declaimer to be confuted as a madman to be confined, or a cheat to be corrected.

But, admitting, that facts cannot be debated, that firſt principles muſt not be denied, that ones own exiſtence muſt not be doubted, yet our author might have pleaded what he now pleads, that ſince the ſtatute of Henry VIII. was made, before he was born, he ought not to be ſent to the pillory under its proviſions. Whether the court would have ordered the trial to proceed, or have ſtopped to argue a plea, which is not uſually urged, muſt have depended on circumſtances rather than on practice. You are tried, good nature might have ſaid, under rules, which having once been eſtabliſhed by the Society, muſt remain in force till the ſame authority ſhall repeal them. Laws, as they muſt equally apply to all perſons, and muſt be uniformly executed at all times, cannot depend on circumſtances ſo fleeting

in their nature, and ſo unefficacious in their end, as the birth of ſome perſons, and the death of others. If no criminals could be tried but thoſe who drew their firſt breath ſince the exiſtence of the law, many would be unreſtrained, while the few could alone be puniſhed. If ſociety be a bleſſing, this bleſſing could not be enjoyed, were the members of ſociety to be in this manner oppoſed to each other; the guilty againſt the innocent; the profligate againſt the virtuous; and the ſtrong againſt the weak. As the culprit's plea ſtrikes at the foundation of ſociety, ſociety muſt either relinquiſh its authority, or reject a plea, which is deſtructive of itſelf. Thus every criminal, who denies the authority of thoſe laws, that the ſociety has enacted, and continues to enforce, puts himſelf in a ſtate of warfare againſt the ſociety, which is obliged, by a regard to its own ſecurity, to inform him of the ſad alternative, either of ſubmitting, or ceaſing to exiſt.

Againſt the act of George II. for the puniſhment of ſwindlers, our author might have inſiſted, as he ſtill inſiſts, that though it was made ſince he was born, he had not conſented to be bound by its penalties. Thoſe philoſophers, the court might have ſaid, who reſolve the ſanction of laws into conſent, muſt either argue againſt fact, and therefore argue illogically, or they muſt admit that this conſent may be either virtual or expreſs. Children, who are protected by ſociety from the moment of their exiſtence, are obliged to obey the rules of ſociety, even before they arrive at ſuch maturity of reaſon as to give their conſent in the ſmalleſt affairs. Strangers, who land upon our ſhore, virtually declare, by the act of their landing, that they are willing to obey the laws of the country. When Engliſhmen circumnavigate the globe, they virtually avow, wherever they may touch for refreſhments or inquiry, that they are willing to conform to the cuſ-

toms

toms of the people whatever they may be. The moſt civilized citizen, who goes among the rudeſt ſavages, muſt profeſs peace, and practice obedience, or he would be treated as an enemy. Every man, therefore, who walks about among a people, avowing his diſobedience to their laws, becauſe he had not conſented to their ſanctions, declares himſelf to be in a ſtate of warfare to all around him, like a ſavage in a wilderneſs. This laſt plea of our author, like his two former ones, muſt have been equally rejected by the court, as ſuch an attack upon the exiſtence of ſociety as makes ſociety hoſtile to him.

During a diſputatious age, it would be an excellent queſtion for metaphyſical diſquiſition, how much more good had reſulted to the world, had our author, when his peculiar pleas were thus rejected, been tranſported to the plantations at the public expence, in 1760, inſtead of tranſporting himſelf, at his own expence, in 1774. It might eaſily be proved, without the arithmetical powers of Dr. Price, that our outhor's ſeven years ſervitude would have expired in 1767. With his admirable pen he would have been juſt ready at that critical epoch to have brought forward all the bleſſings of independence, at leaſt ſeven years ſooner. Great Britain would in the ſame manner, and in the ſame time, have equally partaken in the benefits of their independence. The French too would have ſeven years ſooner enjoyed the felicity of ſo boldleſs a revolution, and ſo tranquil a freedom. And at laſt, but not leaſt, the Conſtitutional Society would have ſeven years ſooner poſſeſſed the heartfelt happineſs, amidſt the exhiliration of victuals and wine, of avowing their monarchial principles to an admiring wo ld.

When our author had diſpoſed of Mr. Rutter's goods at Margate, he once more mingled with the crowds of London. Of the fate of his wife, rumour has ſpoken variouſly. By ſome ſhe is ſaid to

have died on the road of ill uſage, and a premature birth. The women of Sandwich are poſitive that ſhe died in the Britiſh Lying-in Hoſpital, in Brownlow-ſtreet, Long-acre; but the regiſter of this charity, which is kept with commendable accuracy, evinces, that ſhe had not been received into this laudable refuge of female wretchedneſs*. And there are others, who have convinced themſelves by diligent inquiry, that ſhe is ſtill alive, though the extreme obſcurity of her retreat prevents ready diſcovery. The trials which our author had made of his trade, as they had brought him no pleaſure and little gain, induced him to renounce it at this time for ever. When a youth, he had inquired into the duty, and envied the perquiſites, of an exciſeman. His wife had, doubtleſs ſpoken of the honours and emoluments of her father. And he was induced by theſe conſiderations in July, 1761, to ſeek for ſhelter in his father's houſe, that he might proſecute in quiet privacy the great object of his future courſe.

After fourteen months of ſtudy and trials our author was eſtabliſhed in the exciſe, in December, 1762, at the age of twenty-five. He owed this gratification of his wiſhes to the friendly interference of Mr. Cockſedge, the learned recorder of Thetford. He was ſoon ſent as a ſupernumery to guage the brewers of Grantham; and in Auguſt, 1764, he was employed to watch the ſmugglers of Alford. Whether, while he thus walked at Grantham, or rode as an exciſeman at Alford, his practiſes had been miſrepreſented by malice, or his diſhoneſty had been detected by watchfulneſs, tradition has not told us; but, it is certain, that he was diſmiſſed from his office, in Auguſt, 1765.

Our

* A diligent ſearch in the books of *the London Lying-in-Hoſpital* in the City Road found no ſuch perſon as Miſtreſs Pain to have died in it, during the years 1760, or 1761.

Our author, who appears to have had from nature no deſire of accumulation, or rather no care of the future, was now reduced to extreme wretchedneſs. He was abſolutely without food, without raiment, and without ſhelter. Bad, alaſs! muſt that man be who finds no friends in London. He met with perſons, who, from diſintereſted kindneſs, gave him clothes, money, and lodging. Thus he lived till the beginning of July 1766, when he was reſtored to the exciſe. But mere reſtoration did not bring him preſent employment, or neceſſary ſupplies. And he was about the ſame time obliged to enter into the ſervice of Mr. Noble who kept the great Academy in Lemon-ſtreet, Goodman's-fields, at a ſalary of twenty pounds a year, with five pounds for ſleeping out. Here he continued teaching Engliſh, and walking out with the children, till Chriſtmas, 1766, diſliked by the miſtreſs, who ſtill remembers him, and hated by the boys, who were terrified by his harſhneſs. Mr. Noble relinquiſhed our author, without much regret, to Mr. Gardnor, who then taught a reputable ſchool at Kenſington: yet, owing to whatever cauſe, he walked with Mr. Gardnor's ſcholars only the three firſt months of 1767. His deſire of preaching now returned on him: but applying to his old maſter for a certificate to the biſhop of London, of his qualifications, Mr. Noble told his former uſher, that ſince he was only an Engliſh ſcolar, he could not recommend him as a proper candidate for ordination in the church: yet our author determined to perſevere in his purpoſe, without regular orders. And he preached in Moorfields, and in various populous places in England, as he was urged by his neceſſities, or directed by his ſpirit. The text, which ſo emphatically inculcates, *meddle not with them that are given to change*, we may eaſily ſuppoſe he ſuperficially explained, or ſeldom enforced.

The

The ſcene ere long ſhifted; and our author was at length to play an old part on a new theatre. In March, 1768, he was ſent, after ſome delays, to be exciſe-officer at Lewes, in Suſſex. He now went to lodge with Mr. Samuel Ollive, a tobacconiſt and ſhop-keeper of fair repute, in Lewes: but he ſeems to have learned no practical leſſons from his recent removals and his former diſtreſs. At the age of thirty-one he was rather ambitious to ſhine as a *jolly fellow* among his private companions, to whom, however, he expoſed a temper, obſtinate and overbearing, than to be conſidered by his official ſuperiors as an exciſeman, remarkable for diligence and fidelity: and ſuch were his enterpriſe on the water, and his intrepidity on the ice, that he became known by the characteriſtic appellation of *commodore*. He lived on, ſuſpected as an exciſeman, and unbeloved as a friend, with Samuel Ollive till his death, in July, 1769. This worthy tobacconiſt died rather in bad circumſtances, leaving a widow, one daughter and ſeveral ſons, who have proſpered as induſtrious citizens, and are reſpected as honeſt men. Our author attempting to retain ſome of the effects of the deceaſed, was turned out of the houſe by Mr. Atterſol, the executor, with ſuch circumſtances as implied diſtruſt of his integrity. He found his way, however, into the houſe of Ollive, in 1770, by means of the widow and the daughter, who, doubtleſs, looked on him with other eyes. He opened ere long the ſhop, in his own name, as a grocer, and on his own behalf continued to work the tobacco mill of Ollive, however contrary both the ſhop and the mill were to the maxims of the exciſe. Such was his addreſs, or his artifice, that though he had promoted the buying of ſmuggled tobacco, he was able for ſeveral years, to cover his practices, and to retain his protector.

The

The year 1771 forms one of the happy periods of his life. At the age of thirty-four he now married Elizabeth Ollive, the daughter of his old landlord, who was eleven years younger than himſelf *, and who was a woman of ſuch perſonableneſs and purity, as to attract men of higher rank and greater delicacy. Pain had, however, gained her affections; and ſhe would have him, contrary to the advice of Mr. Atterſol, her father's friend, and the remonſtrances of her own relations. This marriage began inauſpiciouſly, and ended unhappily. Before our author could have obtained his marriage licenſe, he ſwore that he was a *bachelor*, when he knew, that he was a *widower*, if indeed his firſt wife were deceaſed. As to the ſanction of an oath, he had learned that commodious maxim of the celebrated moraliſt: "— That he who made, and forced it, "broke it; not he, that for convenience took it." Our author was, on this occaſion, inſtrumental too, with his underſtanding clear and his eyes open, in entering on the regiſter that he was a *bachelor*, though he knew he was a *widower*. Now, the ſtatute †, yclept the Marriage-act, which ſome conſider as an infringement of mens rights and womens rights, declares it to be felony, without benefit of clergy, wilfully to make a falſe entry on the regiſter, with intention to defeat the ſalutary purpoſes of

* The following entry appears on the pariſh regiſter of St. Michael, in Lewes:—Thomas Pain, *bachelor*, and Elizabeth Ollive, ſpinſter, were married in this church, by licenſe, the 26th of March, 1771.

By me, ROBERT AUSTEN, Curate.

(Signed)
THOMAS PAIN.
ELIZABETH OLLIVE.
Witneſſes,
HENRY VERRALL.
THOMAS OLLIVE.

† 26 Geo. II. ch. 33,

of recording truth, diſcriminating characters, and aſcertaining property. Yet, our author, however he may uſe other mens goods as his own, whatever he may think of the ſacredneſs of oaths, however he may regard the integrity of regiſters, can eaſily plead, that ſince he never conſented to be bound by what the nation hath ſolemnly enacted, he cannot be guilty; a doctrine which is convenient indeed to him, however injurious to the people, whoſe property and whoſe happineſs are ſecured by fair dealing and honeſt practice; by the ſanction of oaths, and the authenticity of records.

After theſe viciſſitudes of fortune, and thoſe varieties of fame, our author commenced public writer in 1771. The electors of New Shoreham had lately ſhone with ſuch uncommon luſtre, as to attract parliamentary notice, and to incur parliamentary diſfranchiſement*. A new election was now to be held, not ſo much in a new manner, as on new principles. The poets of Lewes were called upon by Rumbold, the candidate of fair pretenſions, to furniſh an appropriate ſong. Our author obtained the laurel, with three guineas for his pains. It may, then, be doubted, whether it be ſtrictly true, what he aſſerted, in his news-paper altercations, in 1779, that till the epoch of his *Common Senſe*, he had never publiſhed a ſyllable.

If the diſtributing of printed papers be publication, it will ſoon appear, that our author had not been quite innocent of publiſhing, in England. He had riſen, by ſuperior energy, more than by greater honeſty, to be a chief among the exciſemen. They had long ſeen, that whatever increaſe there had been in private wealth, or in public revenue, *no increaſe came to them*. Their allowance of one ſhilling and nine-pence farthing a day, which had been

* By 11 Geo. III. ch. 55.

been always little, was now made leſs, by the riſe in the price of proviſions, from the eſtabliſhment of taxes, and the expanſion of luxury. They thought themſeves ſhut out from the general bleſſing; which they beheld, ſaid our author, *like a map of Peru.* A deſign was thus formed by the exciſe officers throughout the kingdom, to apply to Parliament for a conſideration of the ſtate of their ſalaries. A common contribution was made for the common benefit. And our author engaged to write *their Caſe*, which he produced, after many months labour, in 1772. This is an octavo pamphlet of twenty-one pages, which excluſive of *The Introduction*, is divided into two heads; *The State of the Salary of the Officers of Exciſe; Thoughts on the Corruption, ariſing from the Poverty of Exciſe Officers.* On theſe topics he ſays all that the ableſt writer could have ſaid. Truth eaſily ſlides into the mind without the aſſiſtance of ability, or the recommendations of artifice. But if our author's maiden pamplet be inſpected by critical malignity, it will be found, like his maturer writings, to abound in the falſe grammer of illiterature, and the falſe thoughts of inexperience. Vigour of ſentiment and energy of manner will not be denied him. His firſt pamphlet will be conſidered as his beſt performance by all thoſe, who regard truth as ſuperior to falſehood, modeſty to imprudence, and juſt complaint to factious innovation.

Four thouſand of *The Caſe* were printed by Mr. William Lee of Lewes, in 1772. But even the copies, which were intended for the Members of Parliament, were not all diſtributed. Our author on that occaſion wrote *a letter concerning the Nottingham officers*, which was printed on a folio ſheet; and to theſe he added another letter, enforcing his caſe, on a folio page. Yet, all theſe efforts ended in no application to Parliament, though our author buſtled

buſtled in London, through the winter of 1773. A rebellion of the exciſemen, who ſeldom have the populace on their ſide, was not much feared by their ſuperiors. The exciſemen could only reproach our author for receiving their money, without obtaining them redreſs. And of Pain, who employed him, the printer complains, that he has not yet been paid for printing, though much had been contributed and little had been ſpent. This is a memorable inſtance how eaſily men may be led on to complain of their preſent ſituation, without any other ſucceſs, than making their ſubſequent condition worſe than their firſt.

Thoſe were not our author's only cares, who was ſoon to encounter other evils. With the year 1774 misfortunes crouded faſt upon him. He is one of thoſe characters, who, as they attend more to other men's affairs than their own, are frequently diſtinguiſhed in the world by misfortune's ſcars. His inattention to his ſhop, ere long left him without a ſhop to attend. Difficulties ſoon brought on diſtreſs; and diſtreſs drove him to do what ſtrict honeſty did not abſolutely warrant. He made a bill of ſale of his whole effects to Mr. Whiffeld, a reputable grocer at Lewes, who was his principal creditor; and who, ſeeing no hope of payment from his conſtant irregularities, took poſſeſſion of the premiſes, which he diſpoſed of as his own, in April 1774 *. The other creditors thinking themſelves outwitted

* Mr. Whiffeld, by publiſhing the following advertiſement, expoſed to the whole town of Lewes, the deſperate ſtate of his debtor's circumſtances: "To be ſold by auction, on Thurſday "the 14th of April, and following day, all the houſehold furni- "ture, ſtock in trade, and other effects, of Thomas Pain, gro- "cer and tobacconiſt, near the Weſt Gate, in Lewes: Alſo, a "horſe-tobacco and ſnuff-mill, with all the utenſils for cutting of "tobacco and grinding of ſnuff; and two un-opened crates of "cream-coloured ſtone ware.

outwitted by Whiffeld and cheated by Pain, let looſe the terriers of the law upon him. Like other hunted animals, our author run for refuge to the Whitehart-inn, in the cock-loft of which he lay, without bedding, and but for the female ſervant, had been without food, till Sunday ſet him free. Alas! how often do men enjoy the greateſt benefits from the inſtitutions of religion and the rules of ſociety, without reflecting, that in the firſt alone is their hope, in the ſecond only is their ſafety!

Troubles ſeldom come alone. He had long been known at Lewes as an officer, inattentive, if not unfaithful. He had ſometimes condeſcended, for the purpoſe of concealment, *to drink a bottle with the examiner* *. But, the eagle-eyes of the exciſe were not to be blinded by bottles. With the watchfulneſs, and jealouſy, and acuteneſs, which make the exciſe the cleaneſt collector at the ſmalleſt rate, his ſuperiors had for ſome time beheld him dealing as a grocer in exciſeable articles, as a grinder of ſnuff, buying ſmuggled tobacco; at others conniving, in order to conceal himſelf. He was therefore dimiſſed from the exciſe, after a dozen years ſervice, in April 1774. He petitioned for reſtoration; but, ſuch was his notoriouſneſs, that his patron was unable to protect him.

* As every ſcrap of a great writer is intereſting to the curious, we have preſerved the ſubjoined extract of a letter from our author to a ſuperior exciſe officer, dated at Lewes, the 24th of March, 1774:

"Dear Sir,

"I have requeſted Mr. Scott to put ye 3d and 4th r^d^. books for "74 under examination, for as I was in London almoſt all laſt "winter, I have no other, which have any buſineſs in them— "Requeſt the favour (if not too inconvenient) to inquire and in- "form me when they are ordered—and *if you can find out the "examiner, deſire you will drink a bottle or two of wine with "him*—I ſhould like the character to go in as fair as it can."

What had been ſeen at Sandwich of his conjugal tyranny, was ere long obſerved at Lewes. Such was the meekneſs of his wife that ſhe ſuffered patiently: but as his embarraſſments did not mollify a temper, which is from nature harſh; as his ſubordination to others did not ſoften his treatment of inferiors, from neglect of his wife, he proceeded to contumely; from contumely he went on to cruelty; when, being no longer able to ſupport his repeated beatings, ſhe complained to her friends. She, at length, told, that at the end of three and a half years cohabitation, their marriage had never been conſummated. It now became a queſtion among the men, and among the women of Lewes, what could be the cauſe, that in ſo long a period, he had not performed the promiſe, which is ſo emphatically enforced in the connubial ceremony; whether it could be owing to natural imbecility, or to philoſophical indifference. In the midſt of this diſquiſition, our author had the dignity, or the meanneſs to ſubmit to the inſpection of the faculty; and Mr. Manning, a very ſkilful ſurgeon of Lewes, reported, that he ſaw apparent ability. Our author ſaid himſelf, "that he married for prudential reaſons, and "abſtained for prudential reaſons." Alas! are the rights of men, the boaſt of the new philoſophy, to ſubſiſt thus in perſonal convenience, which diſregards ſolemn engagements, and contemns the rights of others! On the 24th of May, 1774, Pain and his wife entered into articles of ſeparation, which were ſkilfully drawn by Mr. Joſiah Smith, a moſt reſpectable attorney of Lewes; ſhe engaging to pay her huſband thirty-five pounds; and he promiſing to claim no part of whatever goods ſhe might gain in future.

Our author immediately hid himſelf in the obſcurities of London. But though he was unſeen, he was not inactive; he contrived to diſcover his

wife's retreat in the houſe of her benevolent brother, who though he had diſapproved her marriage, now ſheltered her diſtreſs. The huſband found no difficulty in diſquieting the wife's repoſe. He diſputed the articles of ſeparation, which he had recently executed with ſuch ſolemnity. The occaſion gave riſe to a queſtion among the civilians, who are moſt converſant in matrimonial matters, whether this marriage were not void, *ab initio*. They thought clearly, that natural imbecility had annulled the connubial tie; but they doubted, whether malicious impotence amounted to habitual deficiency, though it was doubtleſs a ſufficient cauſe for a divorce, *a menſo et thoro*. The common lawyers, who conſider marriage merely as a contract, held the *bad faith* of the huſband, in refuſing to perform what he had ſolemnly ſtipulated, to have abſolutely vitiated the original agreement. Amidſt theſe doubts and difficulties, on the 4th of June, 1774, the huſband and wife entered into new articles of ſeparation, which amounted to a declaration on his part, *that he no longer found a wife a convenience*; and on her part, *that ſhe had too long ſuffered the miſeries of ſuch a huſband*.

Neither the bankruptcy, nor diſmiſſal from office, nor ſeparation from his wife, weakened our author's intereſt with the late George Lewis Scott, who had been appointed a commiſſioner of exciſe in 1758; and who, having been firſt attracted by *the caſe* of the excitemen, was afterwards captivated by the ſoftneſs of his manner, which concealed the harſhneſs of his ſpirit. When his patron, whoſe literature is remembered, while his benevolence is forgotten, could not, for the third time, obtain our author's reſtoration as an officer of exciſe, he recommended him ſtrongly to that great man Dr. Benjamin Franklin, as a perſon who could, at that epoch, be uſeful in America. The Doctor having recently

recently felt the mortification of diſmiſſal himſelf, was ſuppoſed to be a man who was ſoftened by his ſuffering. But the Doctor's heart was now contracted by age. His knowledge of political life made him conſider confidence as the virtue of infancy; and he was diſpleaſed with his old acquaintance, for recommending *ſuch a character* to his notice. Our author had, however, reſolved to renounce his country, ſince his country had ſo often frowned on him: and in September, 1774, he ſet ſail for America, where tumult reigned triumphant; where the buſy might then find employment, and the idle aſſociates; the baſe concealment, and the brave applauſe.

Meantime, rumour carried to our author's mother, repreſentations of his latter life, which were probably exagerated by emnity, or miſtated by malice. She certainly felt, that a child's ingratitude is ſharper than a ſerpent's tooth. She was almoſt diſtracted by her apprehenſions and her feelings; and ſhe regretted with a woman's ſympathy, that the wife, whoſe character had defied inquiry, and whoſe amiableneſs deſerved eſteem, ſhould be tied for life to the worſt of huſbands *.

Our

* We ſubjoin the following letter from our author's mother to his wife; not only for its own merit, but becauſe it aſcertains his identity and illuſtrates his character:

Thetford, Norfolk, 27th July, 1774.

" Dear Daughter,

" I muſt beg leave to trouble you with my enquiries concern-
" ing my unhappy ſon and your huſband: various are the reports,
" the which I find come originally from the Exciſe-office. Such
" as his vile treatment to you, his ſecreting upwards of 30l. in-
" truſted with him to manage the petition for advance of ſalary;
" and that ſince his diſcharge, he have petitioned to be reſtored,
" which was rejected with ſcorn. Since which I am told he have
" left England. To all which I beg you'll be kind enough to
" anſwer me by due courſe of poſt —You'll not be a little ſurpri-
" zed at my ſo ſtrongly deſiring to know what's become of him

" after

Our author happily arrived at Philadelphia in winter, 1774, a few months, as he recounts himſelf, before the battle of Lexington, in April 1775*. His firſt employment, in the new world, was ſhopman to Mr. Aitkin, a very induſtrious bookſeller in Philadelphia, at twenty pounds a year. He, who was born to illuminate the weſtern hemiſphere by his wiſdom, was for ſome months engaged in retailing politics by the pennyworth, and carrying parcels by the dozen. It ſhews the ſtrength of his character, and the vigour of his powers, that he ſhould have ſpeedily have riſen from the ſhopman to the ſtateſman; from being the diſtributer of ſtationary, to be the diſmemberer of provinces.

From the ſhop he ſtarted to the laboratory, in November 1775, in order to furniſh the Congreſs with ſaltpetre, when foreign ſupplies were ſtopped, and domeſtic reſources were doubtful. He now employed his fertile genius in making experiments for the purpoſe of fixing on ſome eaſy, cheap, and expeditious method of making ſaltpetre. He propoſed the plan of a ſaltpetre aſſociation, for voluntarily ſupplying the public magazines with gunpowder†. He

" after I repeat to you his undutiful behaviour to the tendereſt of " parents; he never aſked of us any thing, but what was granted, " that were in our poor abilities to do; nay even diſtreſſed our- " ſelves, whoſe works are given over by old age, to let him have " 20l on bond, and every other tender mark a parent could poſ- " ſibly ſhew a child; his ingratitude, or rather want of duty, has " been ſuch, that he have not wrote to me upwards of two years. " —If the above account be true, I am heartily ſorry, that a " woman whoſe character and amiableneſs, deſerves the greateſt " reſpect, love, and eſteem, as I have always on enquiry been " informed yours did, ſhould be tied for life to the worſt of huſ- " bands.—I am, dear daughter, your affectionate mother,

" F. PAIN."

" P. S For God's ſake, let me have your anſwer, as I am al- " moſt diſtracted."

* Al. Rememb. 1778 9, p. 319

† Pennſyl. Journal, Nov. 22d. 1775.

He thus evinced to the approving Congreſs, that he could furniſh other inſtruments of independence than the pen. November 1775 was an anxious moment, when every hand was buſy, and Pain ran about among the Philadelphians, like a giant among pigmies.

The great, the important day, was now arrived, when our author was to diſpel the louring clouds by *his* refulgence, to illuminate the new world by *his* ſun, to invigorate by *his* brighter beams, and to direct by *his* ſuperior luſtre. On the 10th of January, 1776, was publiſhed COMMON SENSE, an octavo pamphlet of three and ſixty pages*. This diſquiſition opens with a political diſcovery, which had eſcaped the ſagacity of Sydney, and eluded the underſtanding of Locke: "That *ſociety* and *government* are not only different, but have different origins; that *ſociety* is a *good*, and *government* an *evil*." This fundamental dogma was not received without remarks, or heard without an anſwer. *Society* it was ſaid, is the *union* of man for the ſafety of individuals; *happineſs* is the *end* of this *union*; and *government* is the *means* for the *attainment* of this *end*: Now, if you remove the *means*, either in practice, or in argument, you at the ſame time deſtroy the *end*; and if you defeat the end, you thereby diſſolve the union. Government and ſociety being thus parts of one whole, and being thus directed to the ſame end, have the ſame origin, and cannot without each other exiſt. In this manner, then, is your COMMON SENSE plainly converted into NON-SENSE.

* In the Pennſylvania Journal, dated the 10th of January, 1776, there is the following advertiſement: "This day was pub-"liſhed, and is ſelling by Robert Bell, in Third ſtreet, [Phila-"delphia.] price two ſhillings, *Common Senſe*, addreſſed to the "inhabitants of North America." This fixes the date of the publication, which hiſtorians have miſtaken.

SENSE. It was CATO *, our author's moſt formidable antagoniſt, who argued thus with all the ſententiouſneſs and authority of his great precurſor of the Roman ſtate. But CATO did not ſufficiently attend to our author's purpoſe; who intended more to miſrepreſent than to reaſon; more to deceive than to convince: and his deſign led him naturally to ſeparate ſociety from government, and to declare ſociety to be always a good, but government even of the beſt form to be every where an evil: he could not have meant what he certainly ſaid †, becauſe the unqualified aſſertion is inconſiſtent with Common Senſe; but he muſt have intended no more than that *good government is only an evil to evil-doers.*

Whatever may be the value of this fundamental dogma in theory, or its uſe in practice, it was afterwards ſtolen by the Abbé Raynal, one of the metaphyſical ſtateſman of the age, who writes hiſtory, as men take cathartics, for diſcharging crudities and for the pleaſure of evacuation ‡. The Abbé appears to have been ſo delighted, when he found it, that he did not conſider the immorality of appropriating as his own what belonged to another; perhaps he regarded it as one of the rights of men, to adopt kindly what he ſaw ſtruggling for reception into the republic of letters. Our author however reclaimed his goods, and by plain collation proved his property §, and convicted the culprit. Yet, as there are men who doubt their own exiſtence, ſo were there ſceptics who diſputed, whether this dogma were

* CATO was William Smith, D. D. the preſident of the college of Philadelphia, who was countenanced and aſſiſted by ſome of the ableſt members of the firſt Congreſs. He was a veteran writer of eſtabliſhed practice.

† In p. 1, and through the whole ſection, which treats of *the Origin and Deſign of Government.*

‡ In the Revolution of America, by the Abbé Raynal, p. 33.

§ By his *Letter to Abbé Raynal*, p. 58, &c.

were a diſcovery of Raynal or of Pain. The doubtiſts produced a paſſage from an eminent lawyer of the laſt century, who wrote with the preciſion of proſe, yet with the neatneſs of poetry:

" ———Broken laws are ne'er the worſe;
" Nay, till they're broken have no force.
" What's Juſtice to a man, or Laws,
" That never comes within their claws?
" They have no power but to admoniſh,
" Cannot controul, coerce, or puniſh,
" Until they're broken; and then touch
" Thoſe only that do make them ſuch."

Whether Cato diſdained to pull down the ſuperſtructure after he had deſtroyed the foundation, may be inferred, but cannot be diſcovered. He certainly inſiſted through ſeveral papers *, that he who treats the *beſt government* as an *evil* may be allowed to aſſert, " that the conſtitution of England, " being an union of three powers reciprocally " checking each other, is farcical; that he who " pronounces, that no power which needs checking " can be from God †," may be permitted to tell " how " government by kings is the moſt proſ- " perous invention the devil ever ſat on foot for the " promotion of idolatry;" that he whoſe purpoſe is to pleaſe the low, may eaſily inſult the high; he who ſeldom reaſons may often rail; and he whoſe deſign is to diſſolve ſociety may practiſe any means. All this our author did not hear patiently. The ſtay-maker attacked the ſcholar through the ſame channel, under the title of *A Forreſter* ‡. The onſet was furious, and the victory doubtful. The ſtay-maker had moſt popularity; the ſcholar had moſt knowledge; the firſt had moſt ſmartneſs; the laſt

* In the Pennſylvania Journal. † Page 8.

‡ In the Pennſylvania Journal, the firſt *Forreſter* was publiſhed on the third of April, 1776; and the fourth Eſſay, which was the laſt, appeared on the 8th of May, 1776.

laſt had moſt ſtrength: our author's art conſiſted in aſſumption of premiſes, and ſophiſtry of deduction; Cato's power lay in ſolidity of principle, and juſtneſs of reaſoning: the exciſeman, for once, had the applauſe of the mob; the preſident of the college was approved by the young who read, and by the old who thought*.

Yet it cannot be denied that *common ſenſe* was univerſally peruſed, and loudly praiſed. For the minds of the coloniſts had been prepared by the previous publications of *Burgh*'s *Diſquiſitions*; and by the eſſays of ſimilar writers;

> "Who fancy every thing that *is*,
> "For want of mending, much amiſs."

Whatever is received, ſaid the ſapience of Johnſon, *is received in proportion to the recipient.* The planters had long wiſhed the doctrines of *common ſenſe* to be true; and they thought the author infallible: they had, for years, been travelling on the road of independence; and Pain ſhewed them the ſhorteſt way. The firſt edition was quickly ſold. A ſecond, with a ſupplement of *one third more*, was immediately

* The *ſcholar* was ſtudious to expoſe the *ſtay-maker* as an illiterate writer: his falſe grammar thus:—"Many circumſtances *hath*, and will ariſe." [Introd.] "Here *is* the origin *and* riſe of government," [P. 4] "Abſolute governments *hath* this advantage." [P. 5] "That the Commons *is* a check upon the king" [P. 6]—"Whom it has always ſuppoſed wiſer than *him*. A mere abſurdity!" [P. 7.] His impoprieties thus:—"William the Conqueror, was *a* uſurper." [P. 20.]—"*a* union." [P. 25] —After thus ſhewing falſe grammar and falſe idiom, nonſenſicalneſs [25—26] and coarſeneſs [every where], the ſcholar exclaimed;—That it would degrade criticiſm to chaſe a child to his hornbook. But, the preſident of the college ſhould have remembered, that claſſical writing was not to be expected from a mere ſtay-maker, a mere grocer, a mere exciſeman; but that he is the true orator, who gains his end by affecting, and convincing. It was the firſt American edition of *Common Senſe*, which the *ſcholar* quoted againſt the *ſtay-maker*.

ately prepared. A German tranſlation was printed*. Bell, the book-ſeller, was changed, according to our author's uniformity of acting, for Bradford, the printer: yet, after all theſe editions, and all this applauſe, this wonder-working pamphlet brought the writer of it in debt to the publiſher £29:12:1½, as he has told, who beſt knew †.

But who wrote it was the wonder. It muſt be Adams, ſaid the Boſtonians; it muſt be Franklin, ſaid the Philadelphians; it muſt be Waſhington, ſaid the Virginians. Many months had not elapſed, when our author claimed his profit and his praiſe. Neither was this profit much diminiſhed, nor this praiſe much prevented by the *Anſwer*, entitled PLAIN TRUTH, which, as it was haſtily written, was inattentively read; and, as it only taught the dull duty of obedience, was not much heard amidſt the ravings of anarchy.

Common Senſe was then written to ſupport *the Congreſs*; but *the Congreſs* afterwards confuted *Common Senſe*. After ſeven years experience, they ingratefully determined ‡, notwithſtanding our author's capital dogma, that anarchy is an evil to be avoided, and government a good to be cheriſhed; that ſovereignty and ſubordination, being contradictory qualities, cannot both exiſt in the ſame ſocieties, or in the ſame perſons; that the individuals, who compoſe any political union, cannot be ſafe, if they be not reſtrained; that where happineſs is the end of a people, much muſt be ſacrifiſed to the means whereby this end can alone be ſecured. In this ſtrain it was that the wonderful wiſe man, General

* Pennſyl. Journ. 31 Jan. 1776.

† See Pain's Declaration in Almon's Rem. 1780, Part I. p. 295.

‡ In the convention, which was held at Philadelphia, in September 1787; and which ſettled the preſent conſtitution of the United States.

neral Waſhington, wrote the following paragraph, when he announced the final determinations of the united wiſdom of the New World *:—
" It is obviouſly impracticable in the federal
" government of theſe ſtates, to ſecure all the
" rights of independent ſovereignty to each, and
" yet provide for the intereſt and ſafety of all.
" Individuals, entering into ſociety, muſt give up
" a ſhare of liberty to preſerve the reſt. The mag-
" nitude of the ſacrifice muſt depend as well on
" ſituation and circumſtance, as on the object to be
" obtained." Theſe muſt be allowed to be excellent obſervations, though they be not altogether new. All theſe and more are taught to every Engliſhman in his nurſery, except, indeed, thoſe Engliſhmen, who are educated at Geneva and Lauſanne, at Warrington and Hackney.

The times that tried men's ſouls (as our author has it) were, in America, the year 1776. When all was done that the pen could do, the ſword was drawn. But, the firſt onſet was unfavourable to the American arms. The troops of Congreſs were expelled from Canada in June. They were defeated on Long-Iſland in Auguſt. They evacuated New York in September. They fled from the White Plains in October, and Fort Waſhington (a happy name) though garriſoned by three thouſand patriots, was taken by ſtorm on the 16th of November. In the midſt of theſe defeats, our author was prompted by his courage, or his zeal, to join the army: but, whether to counſel, to command, or to obey, curioſity could not diſcover amid the din of war. It is only certain, that he accompanied the retreat of Waſhington from Hudſon's River to the Deleware.

* It was part of the letter which he wrote on the 17th of September, 1787, as preſident of the grand convention, when he communicated to congreſs the eſtabliſhment of a new conſtitution on new principles.

Like Xenophon our author ſaw, and has recorded * the events of this famous march, which may be likened to the celebrated retreat of the ten thouſand. When Waſhington had croſſed the Deleware, he might have exclaimed with Francis, *all is loſt, but our honour.* The Congreſs fled. All was diſmay. Not ſo our author: he publicly thanked God, that he did not fear: he ſaw no cauſe for fear. He knew well their ſituation, and ſaw his way out of it. He endeavoured, with no inconſiderable ſucceſs, to make others ſee with his eyes, to inſpire others with his confidence. It was with this deſign that he publiſhed in the Pennſylvania Journal, on the 19th of December 1776, *The Criſis* †, wherein he ſtates every topic of hope, and examines every motive of apprehenſion. This *Eſſay* he continued to publiſh periodically, during the continuance of hoſtilities, as often as the neceſſity of affairs required, that he ſhould conceal truth, or propagate falſhood; that he ſhould exhilarate dependency, or repreſs hope ‡.

In the midſt of theſe defeats and of that diſmay, the Congreſs diſpatched agents to foreign powers to ſolicit warlike ſtores, and to engage experienced officers. Deane, Franklin, and Arthur Lee, met together at Paris, in December 1776, where they excited ſympathy, whatever relief they obtained. Our author did more real ſervice by publiſhing another *Criſis* on the 13th of January 1777 §, whereby he tried with wonderful ſucceſs to inſpire confidence in

* In *The* CRISIS, No. I.—There is a journal of this retreat in Al Rem. 1777, p. 28, which was plainly written by Pain.

† Alm. Rem. 1777, p. 11.

‡ The *Criſis*, No. XIII. was publiſhed at Philadelphia the 19th of April, 1783, the ſame day that a ceſſation of hoſtilities was proclaimed. This was the laſt. [Alm. Rem. 1783, Part II. p. 105.]

§ Alm. Rem. 1777, p. 16. Pain publiſhed his third *Criſis* on the 13th of April. [ib. 313.] His fourth *Criſis* on the 12th of September. [ib. 437.]

in their own abilities, and to infuſe contempt of their opponent's negotiation and arms. The year 1777 was to the Congreſs a period of alternate elation and depreſſion, but of final triumph. At firſt, its European concerns were managed by *a Committee for ſecret Correſpondence:* but as its demands for European aid became more urgent, the Secret Committee was converted into *the Committee for foreign Affairs.* Of this Committee our author was now appointed Secretary, as an approbation of his writings, and as a reward of his labours. All letters, that were officially written by Congreſs, after this epoch, went from his office: the political epiſtles of Congreſs reſted afterwards in his hands *. From that notable æra of his honours, our author enjoyed the correſpondence, though not the confidence of Franklin, who we may remember, rejected him as a *bad character*, in 1774; and who perhaps did not conſider his morals as much mended, even in 1777 †.

Our author's office required him in future to reſide with Congreſs, who, whereſoever it fled, or howſoever it were ſituated, deſerved the praiſe of ſteady firmneſs ‡. The ſucceſs which was the reſult of this magnanimity, did not however prevent intereſtedneſs, or defeat cabal. In December, 1777, Silas Deane, the firſt and ableſt commercial agent of Congreſs in Europe, was recalled, to make room for William Lee, the well known Alderman of London. Deane arrived on board the French fleet in July, 1778. The Sieur Gerard was publicly received by Congreſs, on the ſixth of the ſubſequent Auguſt.

* Pain's Letter to Raynal, p. 29.

† Alm. Rememb. 1778-9, p. 319.

‡ During the winter 1777, and the ſpring following, the congreſs was aſſembled at York-Town, in Pennſylvania. [Pain's Letter to Raynal, p. 26.] The congreſs returned to Philadelphia on its evacuation in June, 1778.

Auguſt. In this manner was intrigue transferred to Philadelphia from Paris. Deane was twice heard by the Congreſs, on the 9th and 21ſt of Auguſt, in order to explain, what he had been recalled to elucidate, the Congreſs affairs in the European world. Whatever may have been the cauſe, whether ungracefulneſs of manner, or inſufficiency of matter, certain it is, that the Congreſs would not hear Deane a third time, though entreated by every mode of application. On this ſubject, and on this occaſion he appealed *to the free and virtuous citizens of America* *, on the 5th of December, 1778, profeſſing great reſpect for the Congreſs, but diſcloſing to the country, that a ſacrifice had been made of patriotiſm to cabal of family. The many who ſaw two brothers of the Virginia Lees in the Congreſs, and another brother ambaſſador at Vienna, and a fourth brother at Berlin, feared for popular rights from ariſtocratical prevalence. The few regretted, that patriots were at all times, and in every place, the ſame. Richard Henry Lee, the moſt eloquent and the moſt leading member of the Congreſs, addreſſed his countrymen to ſuſpend their deciſion againſt his family, till the charges ſhould be properly inveſtigated. And Deane declared, in December 1778, that ſince the Congreſs were at length diſpoſed to liſten to his plaints, he had now no occaſion for the mediation of the people †.

Of thoſe events, and of that altercation, which thus intereſted the American world, our author was no unconcerned ſpectator. He publiſhed his fifth *Criſis* on the 10th of June 1778 ‡; his ſixth *Criſis* in October,

† This paper of Silas Deane contains much intereſting anecdote, which makes it not unworthy of the hiſtorian's notice. [Alm. Rem. 1778-9, p. 185.]

† See Alm. Rem. 1788-9, p. 185—190.

‡ Ibid. 1788, p. 340.

October, and his ſeventh in November thereafter *. At the ſame moment that Deane laid down the pen, our author took up his. Without conſulting his prudence, he attacked Deane, who, as a ſcholar, was ſuperior to himſelf, as a ſtateſman, had held higher offices; as an individual, was at leaſt his equal.—Without liſtening to Common Senſe, he involved Robert Morris, the far-famed financier of the United States, who *ſtepped from the floor of office*, to correct his miſrepreſentations and repreſs his inſolence †. Without conſidering official decorum, our ſecretary retailed through the Newſpapers, what he confidentally knew from the foreign correſpondence. The Sieur Gerard, who had been bred at the foot of Vergennes, was ſcandalized at an imprudent infidelity, which diſcloſed the intrigues of his court. Of this miſconduct the miniſter of France complained to the Congreſs‡. On the ſixth of January 1779, being ordered to attend the Congreſs, our author was aſked by Jay, the preſident, *If he were the author of the publications on Mr. Deane's affairs*; and anſwering *Yes*, he was ordered to withdraw. On the ſubſequent day he applied to Congreſs for an explanatory hearing; but on motion he was refuſed; the Congreſs no doubt conſidering, that the public officer, who had thus acknowledged his breach of truſt, could not by any explanation, re-eſtabliſh his official credit. Our author was thus forced to give in his reſignation of *the office of Secretary to the Committee for Foreign Affairs*, on the 8th of January, 1779. Yet, ſtrange to tell, on the 16th of the ſame month, a motion was made in Congreſs, for diſmiſſing him from the office that he no longer held: And, though

* See Alm. Rem. 1779, p. 304:—1780, p. 317.

† Ibid. 1778 9. p. 382.

‡ Ibid. 1778-9, from p. 374 to 391.—Ibid. 1780, p. 290—397.

there

there were fourteen members for it, to thirteen againſt it, the motion was loſt; there being a tye upon the States, who alone could vote, of five to five *. On this event, our ouſted Secretary made a political diſcovery to the American citizens, which they knew not before, *That the ſovereignty of the United States* and *the delegated repreſentation of that ſovereignty in Congreſs, were* two *diſtinct things; which ought to be kept ſeparate; and which proves, that the firſt may be riſing, while the ſecond is ſinking.*

Our author, however, did not repoſe in inſignificance, when he ceaſed to be the ſecretary of a committee. He continued to buſtle awhile; to boaſt of his ſervices; and to complain of ingratitude. The Sieur Gerard thought him important, or perhaps imagined, that he whoſe infidelity had diſcloſed many ſecrets, might, by reſentment, be induced to reveal ſtill more. From Vergennes, the Plenipo had learned, that a point is to be carried by any means; by the faireſt, if poſſible; by the fouleſt, if neceſſary. While Gerard complained to the Congreſs publickly, he intrigued with our author privately. They had ſeveral meetings, the object of which was *Silence* about *Deane*. Gerard made him *a genteel and profitable offer*. But our author was pledged to proſecute Deane; and he was determined, that *penſion* and *Pain* ſhould never be ſeen together in the ſame paragraph. Gerard renewed his intrigues with Pain:— Pain conſorted with Gerard: Gerard wiſhed for opportunities of ſhewing Pain more *ſolid marks of his friendſhip*. Pain profeſſed, that Gerard's *eſteem* ſhould be the only recompence. Thus a penſion was offered, which was only declined; and a bribe

* See thoſe memorable incidents in our author's life told by himſelf, in *the Pennſylvania Packet* of the 13th of April, 1779.

was

was given, though it was not accepted*. The American world ſoon grew tired of pertneſs and recrimination,

* See thoſe intrigues detailed by Pain himſelf, with little prudence and no forecaſt, in Alm. Rem. 1780, Part I. p. 294—97. The following *public papers* will ſupply what is defective in *Pain's detail:*

" SIR, *Philadelphia, Jan.* 13, 1779.

" It is with real ſatisfaction, that I execute the order of Congreſs for tranſmitting to you the incloſed copy of an act of the 12th inſtant, on a ſubject rendered important by affecting the dignity of Congreſs, the honour of their great ally, and the intereſt of both nations.

" The explicit diſavowal and high diſapprobation of Congreſs, relative to the publications referred to in this act, will, I flatter myſelf, be no leſs ſatisfactory to his moſt chriſtian majeſty, than pleaſing to the people of theſe ſtates. Nor have I the leaſt doubt but that every attempt to injure the reputation of either, or impair their mutual confidence, will meet with the indignation and reſentment of both.

" I have the honour, &c.

" To the Hon. the Sieur Gerard, Miniſter Plenipotentiary of France.

" JOHN JAY."

In Congreſs, *January* 12, 1779.

" Congreſs reſumed the conſideration of the publications in the Pennſylvania Packet of 2d and 5th inſtant, under the title of *Common Senſe* to the Public, on Mr. *Deane's affair*, of which Mr. *Thomas Pain, Secretary to the Committee for foreign affairs*, has acknowledged himſelf to be the author; and alſo the memorials of the Miniſter Plenipotentiary of France of the 5th and 10th inſtant, reſpecting the ſaid publications; whereupon, *Reſolved unanimouſly*, That in anſwer to the memorials of the Hon. Sieur Gerard, Miniſter Plenipotentiary of his Moſt Chriſtian Majeſty, of the 5th and 10th inſtant, the Preſident be directed to aſſure the ſaid Miniſter, that Congreſs do fully, and in the cleareſt and moſt explicit manner, diſavow the publications referred to in the ſaid memorials; and as they are convinced by indiſputable evidence, that the ſupplies ſhipped in the Amphitrite, Seine, and Mercury, were not a preſent, and that his Moſt Chriſtian Majeſty, the great and generous ally of theſe United States, did not preface his alliance with any ſupplies whatever ſent to America, ſo they have not authoriſed the writer of the ſaid publications to make any ſuch aſſertions as are contained therein; but on the contrary, do highly diſapprove of the ſame."

nation, when it appeared, that againſt Deane nothing could be proved.

Our authors head being thus ſhorn of its political honours, was ere long crowned with academic laurels. He was made *maſter of arts* by the univerſity of Pennſylvania, after the tumult of the times had *driven* his old antagoniſt, *the preſident*, away. He was choſen a member of the American philoſophical ſociety, when it was revived by the Pennſylvania legiſlature, in 1780; and when our author had himſelf the ſatisfaction of ſigning the act of revival, as clerk of the general aſſembly. He had the comfort of knowing, that though he had made enemies by his petulance, he had gained friends by his patriotiſm. And when the Congreſs had rejected him, as unworthy of truſt, the aſſembly of Pennſylvania, being purged of Quakers by his pen, thought him fit for its clerk.

But

To which Mr. Gerard returned the following anſwer:

"SIR, *Philadelphia, Jan.* 14, 1779.

"I have received the letter with which you honoured me on the 13th inſtant, incloſing me the Reſolve of Congreſs in anſwer to the repreſentations I had the honour to make them on the 5th and 10th.

"I intreat you to receive and to expreſs to Congreſs, the great ſenſibility with which I felt their frank, noble, and categorical manner of deſtroying thoſe *falſe* and *dangerous* inſinuations, which might miſlead ignorant people, and put arms into the hands of the common enemy.

"To the King, my Maſter, Sir, no proofs are neceſſary to the foundation of a confidence in the firm and conſtant adherence of Congreſs to the principles of the alliance; but his Majeſty will always behold with pleaſure the meaſures which Congreſs may take to preſerve inviolate its reputation; and it is from the ſame conſideration, I flatter myſelf, he will find my repreſentations on the 7th of December equally worthy his conſideration.

"I am, &c.

"GERARD."

"Publiſhed by order of Congreſs,

CHARLES THOMSON, Sec.

But though the Congreſs had wholly rejected our author, he did not totally reject the Congreſs; yet all that he could write, or others could do, did not prevent the bankruptcy of Congreſs, in March, 1780, when the Congreſs paper ceaſed to circulate. He gave the American citizens, ſoon after, *A Criſis Extraordinary* *. He now recalled to their remembrance the original principles on which they had reſiſted: he endeavoured to convince them of their direct advantage in defending the country: he compared the reſources of the contending parties; leaving the balance by an eaſy calculation, in favour of his friends: and he laid before them a glowing picture, containing every motive which could cheer the hearts, or engage the honour of a patriot people; which could make them feel *the line of their intereſt* to be *the line of their happineſs*.

But their ears were callous to the voice of the charmer. The pen had, however, ceaſed to influence, during the clamour of contention, the intrigues of cabal, and the diſtreſſes of war. While the American citizens denied ſupplies to the cries of Congreſs, they ſullenly determined, to ſuffer the miſeries of hoſtility, till the acknowledgment of independence ſhould make them happy. Our author cheered them from time to time with another *Criſis*, till his *Criſis*, becoming common, was no longer a Criſis; and was, therefore, read without attention, and thrown away without efficacy †. Hoſtilities ſeemed to ceaſe of themſelves, in 1782, when mere wearineſs of paying alternately for victory and defeat, prompted the belligerent powers to aſk each other, *Why are we at war?*

The Abbé Raynal haſtened to give his hiſtory of *the Revolution of America* even before it was really atchieved.

* Alm Rem. 1781. part 1. page 131.

† Pennſyl. Gazette, 22d May, 1782. Alm. Rem. 1782. page 183.

atchieved *. Of the crudities which the ſedentary Abbé had been collecting for years, he now made a copious diſcharge. A bilious mixture, he exhibited, of truth and falſehood, of ſenſe and nonſenſe, of folly and philoſophy. This *galimafrèe*, the academy of Lions received with applauſe. The Engliſh world were too buſy with their conteſts, their taxes and repentance, to liſten, without apathy, to a tale more worthy of attention. The American citizens heard the Abbé with diſguſt rather than diſapprobation. But it was his facts more than his falſities, his independence more than his ſervility, which gave them offence: he had aſſerted †, that *none of the energetic cauſes, which had produced ſo many revolutions, exiſted among them*; neither religion nor laws had been outraged; the blood of no martyr or patriot had ſtreamed from their ſcaffolds. He does not praiſe them as men, who fought like heroes, after they had drawn their ſwords without real provocation ‡. And above all, he had on falſe pretences obtained our author's *metaphyſics*, and ſold them as his own; thus borrowing our author's *moral* with his *maxims*.

In Auguſt, 1782, our author reclaimed his property, by a *letter to the Abbé Raynal on the affairs of North America* §. As the plagiariſm of the Abbé was obvious, it was eaſy to convict him; but where he

* It was publiſhed at London, in December, 1781.

† Pag. 126. ‡ Pag. 103.

§ This publication gave our author's old antagoniſt, *the preſident*, an opportunity of ſneering at his *illiteratûre*. Here is a letter written to an Abbé, ſaid he, who is treated in it throughout as a third perſon. "The greater part of the Abbé's writings *appear to me* UNCENTRAL." [P. 51.] Appear to me to be *eccentric*, the author probably intended. "It is *a uſeful* addition." [P. 12.] As if he *was* [*were*] glad to get from them. [P. 12.] "It is one of *thoſe kind* of dominions." [P. 70.] *The preſident* might have quoted many ſuch *peccadillos* from our author's writings; but it ought to be always remembered, that our author is but a mere *Engliſh ſcholar*; and few *Engliſh ſcholars* can write the *Engliſh language*.

he had entrenched himſelf in facts, it was more difficult to diſlodge him. A battle of words was carried on through many pages, which, like other conteſts of the metaphyſicians, had ſooner forced conviction, or had been continued without logomachy, if the diſputants had explained their own terms. The Abbé meant to ſay, that, in fact, the blood of no martyr had been ſhed; no patriot had hung on the ſcaffold; no American citizen had been dragged to a dungeon; all which had been the energetic cauſes of revolutions in the European world. Againſt the fact, our author quoted *the declaratory act*, which left the colonies *no rights* at all: by it, the blood of martyrs was ſhed *virtually*; patriots were hanged *virtually*; citizens were dragged to dungeons *virtually*. *There is no deſpotiſm to which this iniquitous law did not extend*, contended our author furiouſly *. Yet the Abbé could not be perſuaded, that *this almoſt metaphyſical queſtion was of ſufficient importance to make the people riſe* †. Alas! it is not always *almoſt metaphyſical queſtions*, which have agitated mankind, and even now agitate the world! Our own hiſtorian of the laſt century, has treated this ſubject finely; becauſe his repreſentations are juſt, and his language is terſe:

> "When men fell out they knew not why;
> "When hard words, jealouſies, and fears,
> "Set folks together by the ears;
> "And made them fight, like mad, or drunk,
> "For dame religion, as for punk;
> "Whoſe honeſty they all durſt ſwear for,
> "Though not a man of them knew wherefore."

Our author turned awhile from the Abbé to teach America and Europe the nature of *paper money*. In five years, the Congreſs iſſued about twelve millions ſterling, in dollars of paſteboard. This emiſſion

* Letter, p. 5. † Revolution, p. 127.

ſion of paper was a corner ſtone of independence. It was the Congreſs mode of finance, which, while it prevailed, ſaved twelve millions of taxes for carrying on the war; and conſequently the event to the people was exactly the ſame, whether they ſunk twelve millions of money, by the depreciation of paper, or paid twelve millions by taxation. As early as March, 1780, common conſent conſigned it to reſt, with that kind of regard, which the long ſervices of inanimate beings inſenſibly obtain from mankind *. Our author's addreſs is admirable, in mentioning every circumſtance of commendation, while he ſuppreſſed every kind of objection. He concealed that the Congreſs made their paſteboards a legal payment of every debt, though they were of no more value than *the almanacks of the laſt year.* The fraudulent were thus enabled to pay the honeſt their juſt debts with waſte paper. The rich were thereby defrauded, but the poor were not enriched. All property and all labour were depreciated by the ſame ſtroke of fraud. A revolution, which ſo violently ſhook the intereſt and happineſs of a country, has ſeldom occurred before. The Abbé was ſo ſimple as to conſider this diſcredited paper as an eſſential part of the Congreſs debt. Not ſo our author: with a charming apathy he aſſerted, in 1782, *with us its fate is now determined.* This is a fine illuſtration of the maxims and practice of the metaphyſical reformers, who care not, when in purſuit of their theories, whoſe heart they rend, whoſe property they waſte, whoſe ſafety they endanger.

Our author was more happy in ſhewing, that the Abbé, as an hiſtorian, haſtens through his narrations as *if he was glad* to get from them †. It muſt be allowed to be true, as our author aſſerted ‡, that it

* Letter to Raynal, p. 223.
† Letter, p. 12.
‡ Letter, p. 2.

it is yet too ſoon to write the hiſtory of the Revolution; and whoever attempts it precipitately will unavoidably miſtake characters and circumſtances, and involve himſelf in error and difficulty; yet is it never too ſoon to inculcate on nations the performance of contracts, or on individuals the practice of honeſty, becauſe both form the ſtrongeſt cement of ſociety.

Our author had ſcarcely diſpatched his letter to Abbé Raynal, when he wrote an epiſtle to the Earl of Shelburne*. The noble Earl had ſaid in Parliament, it ſeems, in a tone which ſtill vibrates in the ears of Engliſhmen, *that when Great Britain ſhall acknowledge American independence, the ſun of Britain's glory is ſet for ever.* Some other orator had alſo ſaid, in ſome other houſe, *What is the relinquiſhment of America but to deſire a giant to ſhrink ſpontaneouſly into a dwarf?* Our author reaſons and laughs, and laughs and reaſons with our parliamentary prophets, through a little pamphlet of eight and twenty pages. It required not his ridicule to make folly ridiculous, his acuteneſs to detect ſophiſtry, or his ability to overturn weakneſs. We have outlived the time; yet many a parliamentary prophecy is ſtill unfulfilled. Great Britain continues to walk with *a giant's* port among the powers of the earth, even without the help of the Earl's energy.

Our author publiſhed his *laſt Criſis* on the 19th of April, 1783, the ſame day that a ceſſation of hoſtilities was proclaimed. This Eſſay was ſoon printed as a pamphlet, entitled *Pain's Thoughts on the Peace.* In eighteen pages he concluded his valedictory oration in the following ſentence: *Now, Gentlemen, you are independent; ſit down and be happy.* But, happineſs

* A letter to the Earl of Shelburne, which was publiſhed at Philadelphia, the 29th of October, 1782, on his ſpeech of the 10th of July, 1782.

pineſs is not always in our own power. Without food and raiment, and ſhelter, what man, except Diogenes, ever was happy? When their rejoicings were over, the American citizens were all ſurprized, that they were not happy. Amidſt diſtruſt, and penury, and pride, and indolence, what happineſs, alas! could they enjoy? They were all diſappointed in their hopes; they were all exhauſted in their fortunes; they were all ſuſpicious in their tempers; they were all uneaſy in their families; but, they were independent. In all this *wailing and gnaſhing of teeth*, our author—

" Found nothing left but poverty and praiſe.

The American Revolution is a happy inſtance of what may be done by metaphyſical reformers, who run furiouſly forward, in purſuit of their theories, without *regarding the end.* In order to obtain independence, every principle, which ought to actuate the human heart, was weakened; all the maxims, which knit ſociety together, were impugned; and government, which is the efficacious energy of political unions, was contemned as *an evil.* But independence was obtained. Subordination however ceaſed; juſtice fled from the land; freedom, and property, and life, were no longer ſafe; the aſſociation among the States diſſolved in its own inſufficience; and the Congreſs continued to exiſt indeed, but diſgraced by its impotence, and unavailing in its efforts. Mean time, Shey's rebellion raged for years in New England, the moſt vigorous of the American republics. Civil diſcord diſtracted New York. Inſurrection diſturbed the quiet of Philadelphia, which had once been the happy ſeat of concord and diligence; from which our author retired to Bordenton, in New Jerſey, for ſhelter. The Southern States were all ſhaken, by ſimilar diſorders, owing to ſimilar cauſes.

The

The American Union was little reſpected in Europe. The American Citizens were diſtruſted naturally by foreigners, when they diſtruſted one another. They were conſidered as a people, who were doomed to diſtraction; to ſuffer the miſeries of anarchy, till they ſhould acknowledge by their conduct, that they rejected metaphyſical theories, and regarded juſt government as the greateſt good.

Whether our author ſmiled at the miſchief, which his pen had done, or lamented that his preſcriptions had not produced happineſs, it is impoſſible to tell. He ſeems to have been ſilent, becauſe, during the ravings of anarchy, he could not be eaſily heard.—He certainly ſuffered all the miſeries of dependent penury. He buſied himſelf for ſeveral years, in ſoliciting the American Aſſemblies to grant him ſome reward for having contributed by his labours to make the American Citizens independent and miſerable. New York conferred on him forfeited lands at New-Rochelle, which, as they were neither tenanted nor cultivated, brought him no annual income. Pennſylvania gave him five hundred pounds; which, at ſix per cent. may be conſidered as a penſion of thirty pounds a year, current money, or eighteen pounds ſterling; and thus were united, what he had anxiouſly wiſhed to avoid, *penſion* and *Pain* in the ſame paragraph*. Whether any other

* In the Maryland Journal, dated the 31ſt of December, 1784, there is the following article: "On the 6th inſtant, his Excellency John Dickenſon, Preſident of the State of Pennſylvania, ſent a meſſage to the Aſſembly reſpecting Mr. Thomas Pain, the author of Common Senſe and other political pieces; ſtrongly recommending to their notice his ſervices and ſituation; and concluding in the ſubſequent words:—We confide that you will then feel that the attention of Pennſylvania is drawn towards Mr. Pain, by motives equally grateful to the human heart, and reputable to the republic; and that you will join with us in opinion, that a ſuitable acknowledgment of his eminent ſervices, and a proper proviſion for the continuance of them in an independent manner, ſhould be made on the part of this State."

of the States, or the Congreſs, relieved our author's needs, we have never heard. They were all poor, and unable to help themſelves, diſtracted as they were by their maxims, and enfeebled in their powers. As his principles and his pen were no longer of much uſe to the United States, our author departed for France, in Autumn 1786; leaving the American Citizens to build up, as they could, the ſeveral fabricks, which he had contributed ſo powerfully to overturn. They all experienced, after his departure, that it is more eaſy to break windows than to mend them.

What writers on government ſuppoſe to have happened in the darkeſt periods, when men exiſted as ſavages, actually occurred in America, during September, 1787. Three millions of people, who were urged by their miſeries, aſſembled at Philadelphia, not indeed in perſon, but by delegates, to conſider their preſent calamities, and provide for their future happineſs. When theſe deputies met in *Convention*, with Waſhington at their head, they did not begin their deliberations, by reading our author's *Common Senſe*. All had ſeen the people's ſufferings. Like the metaphyſical ſtateſmen of the old world, they did not deny the evidence of their own ſenſes. But conſidering the general miſery as *a fact*, they proceeded to inveſtigate the cauſe of that *fact*, which could not be diſputed. By running furiouſly in queſt of private liberty and of public independence, the people have involved themſelves in anarchy, and the States in imbecility. WE conſider then, ſaid the Convention and Waſhington, ſelf-legiſlation, or anarchy, as the efficient cauſe of all our ills. WE muſt remove *the cauſe* before we attempt to free the people from *its effects*. WE muſt put *reſtraints* upon *ſelf-legiſlation*, upon *ſelf-actions*, upon *ſelf-redreſs*.—WE muſt ſacrifice the principles, the paſſions, the prejudices, of *one*, to the ſafety of *millions*. WE muſt

muſt *reſtrain* the *liberty* of *each*, in order that the *whole* may be *free*. WE muſt, in this manner, eſtabliſh *reſtraint* as the fundamental principle of *the ſociety*, into which we are about to enter. WE muſt lay *reſtraint* as the *corner-ſtone* of our *new Conſtitution*.

In that numerous convention there were men of republican principles, who, with our author's *Common Senſe* in their hands, and their own importance in their heads, ſpoke a very different language.—With our laſt breath, ſaid they, WE will retain *ſelf-legiſlation*, that inherent right of man to *will* for himſelf; becauſe, where there is no *ſelf-will*, there can be no *liberty*. WE would as ſoon relinquiſh life itſelf, as part with *ſelf-action*; becauſe what are freemen, if they cannot *do as they pleaſe?* WE will never agree to be reſtrained, they exclaimed; becauſe *reſtraint* is the *death* of *liberty*.

In reply to theſe declamations, the convention and Waſhington argued very patiently. Remember, WE pray you, the people's miſeries, and the people's cries: you have ſeen, that it is *ſelfe-legiſlation*, or the power of willing as each thinks proper, which is the real cauſe of all their ſufferings: *ſelf-action*, or the *practice* of doing what each thinks fit, is the genuine effect of that efficient cauſe: have you not felt how the young abuſe the old; how the ſtrong overpower the weak; how the wicked oppreſs the virtuous: can you enjoy your own liberty where ſuch abuſes exiſt; and where all legiſlate and none obey? If you wiſh to be ſafe, you muſt relinquiſh this *ſavageneſs* for *ſociety*: now, what is ſociety, but a compact, either expreſſed, or underſtood, that private will ſhall ſubmit to public will; that individual action ſhall be ſubordinate to general direction; that no *one* ſhall *will* or *do* any action which is inconſiſtent with the rules and agency of the many; and, what is this ſubordination and this obedience but reſtraint, that muſt neceſſarily be the

foundation of ſociety, which has been variouſly modified in different climes, as men were urged by their various ſufferings.

The few in this convention were, in this manner, obliged to ſubmit to the wills, and what is of more importance, to the reaſons of the many. And the convention and Waſhington proceeded to form their compact, which is the record of their union; to eſtabliſh their conſtitution, which is the detail of its end; and to ſettle their g vernment, which is the means of effectuating *the end* of *their union*. Upon theſe reaſonings they acted, though they were not unanimous. And finding it impracticable to ſecure, either to individuals or communities, dependence and independence, ſubordination and ſovereignty, they modified their ſyſtem, ſo as beſt to provide for the intereſt and ſafety of all *. Hiſtory will record it as an indubitable proof of their wiſdom, that they built as much as poſſible upon old foundations; preſerving their old common law, their old acts of aſſembly, their old modes of public proceeding. It deducts, indeed, ſomething from this commendation, that the metaphyſical reformers, with our author as their inſtructor, are more active to pull down than to build; are more ſtudious to recommend new theories than to act on old experience.

Thoſe who have ſurveyed the regions of the earth muſt have every where have ſeen ſocieties of ſome kind, whoſe forms would no doubt be modified, by their ignorance, into greater ſimplicity, or by their civilization, into more numerous checks. The Convention and Waſhington maturely conſidered all thoſe varieties; and that great juriſt, Mr. John Adams, had inſpected every book, in every language, that he might lay before them the beauties and defects of the different governments, which had reſulted

* See Waſhington's Letter before-mentioned.

reſulted from ancient wiſdom and modern experience. After this inquiry, and thoſe conſiderations, the united wiſdom of the new world adopted, as far as circumſtances would allow, the Britiſh conſtitution, though our author's *Common Senſe* had declared it *to be a farce*. The American conſtitution, which was then eſtabliſhed, provided powers legiſlative, executive, and judicial. The legiſlative, which, as the ſovereign, has the power of preſcribing rules of action for all, conſiſts of the Houſe of Repreſentatives, or Commons; of a Senate, or Peers; of the Preſident, or King; who have each a vote in the making of laws. The executive power is veſted in the preſident, with monarchical authority, who is entruſted with the whole energy of government. The judicial power is thrown into ſeparate departments, which diſtribute juſtice in the various diſtricts that a wide country, and a ſcattered people, require. Now, this is the Britiſh conſtitution, though it be leſs efficient, becauſe the materials were leſs perfect; and though it be more complex, becauſe circumſtances required additional checks.

In this manner, and upon thoſe principles, was ſettled the preſent American government, which has anſwered in practice beyond expectation. It is of importance to inveſtigate the cauſes of that eſtabliſhment and of that efficiency. Our author, who had inculcated by his *Common Senſe* *, *that no power, which needs checking, can be from God*, was now fortunately abſent. Sad diſtreſs had induced the people to liſten to plain truth; they had no longer a diſpoſition to believe our author's doctrine, that *the beſt government is a neceſſary evil;* and recent experience had fully convinced them, that there can be no ſecurity for property, freedom, and life, unleſs reſtraint be impoſed by the laws, and government be

* Page 8.

be obeyed, as the energy from which ſocial happineſs can alone be enjoyed. Meantime our author ſafely arrived in Paris, the beginning of 1787. He carried with him his fame as a writer, and the model of a bridge, which ſhewed that he had a genius, equally formed for mecanics as for politics. The French academy viewed his model, and thanked him for the ſight; but whether he gave the people of France, *who were then beginning to think for themſelves*, a leſſon or two of political happineſs, we have never heard. Were we allowed to argue from experience, it might be eaſily proved, that ſince the epoch of his viſit, the French have proceeded regularly.

" In falling out with that, or this,
" And finding ſomewhat ſtill amiſs."

Our author, like other animals who delight in ſavage life, longed to return to his old haunts. And he arrived at the White Bear, Piccadilly, on the 3d of September, 1787, juſt thirteen years after his departure for Philadelphia. Neither the length of years, nor the change of circumſtances prevented his former acquaintances from recognizing the ſpecific ſtaymaker, the individual grocer, the ſame exciſeman; but as he had taken French leave, he met ſome *old friends* with *new faces*. In London, he did not remain long. Before the end of September he haſtened to Thetford, where he found his mother, who was now advanced to the age of ninety, but oppreſſed by penury. At the æra of rejoicing for independence, this dutiful ſon had remitted his neceſſitous parents twenty pounds in payment, no doubt of the money, which had been lent him on bond *, before his emigration. He now talked allowing his mother nine ſhillings a week, to be paid by

* See his mother's letter before, p. 20.

by Whiteſide, an American merchant in London. But owing to the confuſion in that trader's affairs, or to ſome other cauſe, this allowance was ſoon ſtopped. At Thetford, he ſeldom ſaw the *companions of his youth*; he went little out, being wholly occupied in reading, and in writing. He who has once been employed in great affairs cannot eaſily condeſcend to converſe with puny men, or look with gratification on little matters.

When our author had finiſhed his reading and his writing at Thetford, he returned to London: and before the end of the year 1787, he publiſhed his *Proſpects on the Rubicon*; or, *an Inveſtigation into the Cauſes and Conſequences of the Politics to be agitated at the Meeting of Parliament* *. This is an octavo tract of ſixty-eight pages, which treats of *the ſtate of the nation*. The affairs of Holland, which were then unſettled, are now a ſubject for hiſtory, whoſe pen will do juſtice to the conductors of a great tranſaction to a happy end. Beſide temporary matters, our author gave his opinion of money, credit, and banking, of agriculture and manufacture, of commerce and ſhipping: but, by remaining too long in America, he had allowed Dr. Adam Smith to occupy his ground, to foreſtal his thoughts, and to teach the people not to be terrified by

* The critics aſcertained the authorſhip by collation of the ſtyle. Thus, in page 59 of his *Proſpects*, it is ſaid, "there is *a* uniformity in all the works of nature."—"But there is another circumſtance that *do* not fail to impreſs foreigners," page 63.—"Where is the profit of manufactures, if there is [be] no encreaſe of money," page 39.—"But it ſignifies not what name it bears, *if* the capital is [be] not equal to the redemption," p. 35.—"The amazing encreaſe *and* magnitude of the paper currency now floating in England, expoſes her to a ſhock as much more tremendous than the ſhock of the South Sea Funds, as the quantity of credit *and* paper currency *is* now greater than *they* were at that time," p. 24.—"But though Democritus [Democritus] could ſcarcely have forbore [forborn] laughing [laughter] at the folly," p. 2.

by any penſioned pamphleteer. Our author's *proſpects* ſoon faded from the public eye. And the newspapers had the *impertinence* to tell him, that he who had lately ſhewn America the road to independence, and now endeavoured to exalt France over England, was a fit ſubject for tranſportation to the one, or a proper object, *à la lanterne*, of the other.

During the year 1788, our author was chiefly occupied in building his bridge. For this end he made a journey to Rotherham, in Yorkſhire, in order to ſuperintend the caſting of the iron by that ingenious man and reſpectable citizen Mr. Walker. While thus occupied at Rotherham, our author's French freedom is ſaid not to have much pleaſed the Engliſh ladies. Their diſpleaſure did not, however, prevent the operations of the furnace: and the bridge was at length erected, in a cloſe at Leaſing-Green; being an arch conſtructed of iron, one hundred and ten feet in the ſpan, five feet from the ſpring, and twenty-two feet in breadth. It was erected chiefly at the charge of Mr. Walker; but the project had coſt our author a large ſum, which was moſtly furniſhed by Mr. Whiteſide, the American merchant, who ſoon diſcovered, that *advances* without *returns* leave the trader, ere long, without money or credit. Our author's bridge is to this day ſhewn at the Yorkſhire-Singo, for a ſhilling. As this was not the firſt iron bridge which was known to the Engliſh world, it is not eaſy to diſcover, why the projector, who had a model, ſhould incur ſo great an expence merely to make a ſhow.

It is, however, happy for mankind, that imprudence and folly ſeldom eſcape puniſhment. Whiteſide, by truſting much money in bad hands, ſoon became a bankrupt. The aſſignees, ſeeing ſo great a ſum as ſix hundred and twenty pounds charged againſt our author, cauſed him to be arreſted on the

29th

29th of October, 1789, at the White Bear, in Piccadilly. He was carried to that commodious ſpunging houſe, which is kept by good Mr. Armſtrong, in Cary-ſtreet. Here he lay, for three weeks, *in durance vile*. Thoſe benevolent perſons, Benjamin Vaughan, Mr. Hoare, the quaker, and William Vaughan, all intereſted themſelves in his fate. They aſked the aſſignees, if they knew that they confined the *great writer of Common Senſe*. Our concern, ſaid they, is not with the dignity, but the identity of the debtor: Will you be his ſecurity, to obtain his freedom? Upon the departure of his viſitors, without obtaining his liberty, our author is ſaid to have hummed—

——————" They promiſe to pity;
But ſhift you for money from friend to friend."

He now applied to Meſſrs. Clagget and Murdock, two American traders of great reſpectability; pleading his ſervices to them as Americans, in giving them independence. Without conſidering themſelves as much obliged to him for confining rather than enlarging their trade, they became his bail. And our author paying four hundred and ſixty pounds, which he had at length received from America, and giving his own note for one hundred and ſixty more, was ſet free, in November, 1789, to purſue his projects, and to ſcribble pamphlets.

While thus reſtrained in Cary-ſtreet, by a power which he had never authorized, our adventurer was not inattentive to French affairs. In France he had beheld the fair bloſſoms of liberty in the genial Spring; he had ſeen the vigorous ſhoots of ſummer's invigoration; and he now haſtened to that happy land, in order to partake in the autumnal maturity of the faireſt fruit, that metaphyſicians had ever cultivated in the fields of theory While thus gratified, by enjoying the harveſt of his own labours, he had the additional

pleaſure of peruſing Dr. Price's celebrated ſermon, which had been frowned from England, into France. But, while he ſaw the people of France *thinking* and *acting* for themſelves, he heard with aſtoniſhment, no doubt, *that the people of England were about to reſign the prerogative of thinking* *.

In this *Criſis*, our author recroſſed the channel, in order to proteſt againſt this *vaſſalage idea* †, and to avert that *ſubmiſſion of themſelves and their poſterity, like bond-men and bond-women, for ever* ‡. He was encountered, as he ran to London, by Mr. Burke's pamphlet, which was publiſhed a few days before the ſad celebration of the French Revolution, on the 5th of November, 1790. He may have heard indeed, what doubtleſs quickened his ſteps, that ſuch a work was in the preſs, and though long delayed, was at length to appear. Never was the public expectation more amply gratified. Such vigour from ſixty-three the world had ſeldom ſeen. Thouſands and tens of thouſands of Mr. Burke's pamphlet were ſold without the recommendation of the Conſtitutional Society. But, it was not the wiſdom of his policy, or the zeal of his patriotiſm, the learning of his illuſtrations, or the burſts of his eloquence, which captivated the *Engliſh* nation. No: The univerſal applauſe of the Engliſh people, was an indubitable proof of their genuine ſentiments: It was a declaration of their affection for the king; of their attachment to the conſtitution; of their veneration for the laws; of gratitude to their fathers, who had tranſmitted the ſyſtem, which enſures to them their preſent happineſs. To Mr. Burke's pamphlet, every week produced a new anſwer. But as his antagoniſts fought him on his own

* Proſpects on the Rubicon, p. 29.
† Rights of Man, p. 82.
‡ Id.

own ground of law, their aims were feebly directed, and their attacks were eaſily repulſed. The metaphyſical ſtateſmen cried out for a new aſſault, upon a freſh field, by diſſimilar weapons, according to the approved tactics of wordy warfare.

In this manner was our author induced to furbiſh up his old weapons of *Common Senſe*, to faſhion *his Criſis*, ordinary and extraordinary, into a new curiaſs, to review *his proſpects*, that he might take the *vantage ground* to

> " Decide all controverſies by
> " Infallible artillery."

A few months labour produced the far-famed pamphlet, yclept *Rights of Man.* It was ſubmitted to the reviſal of Mr. Brand Hollis, and a committee of *Democrats.* It was fitted by them for the preſs, after ſome ſtruggles between the deſires of the author, and the wiſhes of his patrons. It was printed, in February 1791, for that worthy citizen, Mr. J. Johnſton, in St. Paul's Church-yard; but his regard for *the ſhop* induced him to decline the ſelling of prohibited goods, though he occaſionally dealt in Dr. Prieſtly's wares. This unexpected refuſal cauſed a months delay. A few copies were, however, ſmuggled into private hands. Impatience was now apparent in every face. The deſire of gratification became, as uſual, more ardent, in proportion as the object was denied. The men midwives determined to deprive the child of its virility, rather than ſo hopeful an infant ſhould be withheld from the world. At length, on the 13th of March, 1791, this mutilated brat was delivered to the public, by Mr. J. S. Jordan, at N° 166, Fleet-ſtreet.

To the parent this was a moment of peculiar anxiety. Beſide his cares for his child, he feared that the meſſengers of the preſs might be even then prowling for their prey. He found ſhelter and concealment

cealment in the hoſpitable houſe of the ſaid Mr. Hollis; and in order to carry the hounds from their ſcent, the agents of foreign powers ran about whiſpering in every ear, *that they had laſt night procured Mr. Pain a paſs for Paris*; though every Engliſhman, to whom this tale was told, did not hear with the ſame patience, that foreign agents ſhould trouble themſelves with Engliſh affairs. It is hardened guilt only which is never fearful. While concealment was thus ſtudiouſly conſulted, the meſſengers of the preſs did not trouble themſelves about Mr. Pain or his pamphlet.

Such was the agency by which this production was brought to the notice of the Engliſh nation. There were numbers, no doubt, who praiſed it; becauſe they wiſhed that its tenets were triumphant. There are ſome who, in every country, rejoice to ſee real learning defied by groſs illiterature. And the Conſtitutional Society, whoſe buſineſs it is to ſpread conſtitutional information, ſtrenuouſly recommended this conſtitutional tract to the people's peruſal. But it was ſtill to encounter the critics. This is a race of men, whoſe hearts are generally contracted by years; whoſe judgments, being matured by experience, are not often captivated by novelty; and whoſe pens are ſometimes dipped in gall, by an exceſſive impartiality.

After a decorous procraſtination, the critics reviewed our author's performance. They divided their ſtrictures into two heads; the manner, and the matter. With regard to *the firſt*, they obſerved, that as the language immediately offers itſelf to the reader's eye, and muſt ultimately inform the reader's underſtanding; ſo the language is an eſſential object of the critic's animadverſion. Of ſtyle *perſpicuity* is the principal quality, without which, all other qualities are uſeleſs; but without *grammatical purity*, that great eſſential of language cannot be obtained. Like

fair

fair critics, they give examples, as the beſt proofs of their precepts; and they arranged their obſervations, and ſtated their quotations, under diſtinct claſſes, in the following order:

The bad grammar of a Child.

In page 15, Mr. Pain ſays, "There *is* [are] ſome propoſ*als* for a declaration of rights."—In p. 34, "There *are* [is] in all countries, a large *claſs* of "people of that deſcrip*tion*, which, in England, *are* [is] called the mob. In p. 35, "A vaſt *maſs* of man-"kind *are* [is] *degradedly* thrown into the back "ground."—In p. 45, "Becauſe there *have* [has] "been *an upſtart* of governments, thruſting them-"ſelves between."—In p. 66, "The *folly* of titles "*have* [has] fallen."—In p. 81, "The parliamen-"tary language is free, and *extend* [extends] to all "the parts.--In p. 82, "This *vaſſalage* idea, *and* "ſtyle of ſpeaking *was* [were] not got rid of at the "revolution."---In p. 92, "As money matters *was* "[were] the object."---In p. 100, "When their "worth *and* conſequence *is* [are] conſidered."---In "p. 104, "There *was* [were] a viſible imbecillity "*and* want of intellects in the majority."---In p. "116, "*Does* not [do] its own inhabitant ſay, it is "a market."---But of ſuch examples enow, though other inſtances, which are equally level to a child's capacity, might be added,

The bad grammar of a Man.

In p. 5, Mr. Pain ſays, "*Why* Mr. Burke ſhould commence an unprovoked attack *is* a conduct that *cannot* be pardoned, on the ſcore of manners, *nor* [or] juſtfied on that of policy." Thus, the *why* muſt be the nominative of the verb *is*; and *cannot* and *nor* are *two* negatives in the ſame ſentence. In p. 6,

p. 6, " But ſuch is the ingenuity of his hope, or the malignity of his deſpair, that *it* [they] furniſh*es* him with new pretences." In p. 56, " Have *ſit*" for *ſat* or *ſitten*. In p. 71, " The greateſt characters have *roſe*," for *riſen*. In p. 72, " Whether the archbiſhop *precedes*," [precede]. In p. 75, " If he believe*s*," [believe]. In p. 81, " If any matter *comes*," [come]. Theſe and many other examples, which might be quoted, evince, ſaid the critics, that Mr. Pain has no notion of the ſubjunctive mood.—In p. 79, " There are frequently appearing in the London Gazette, extracts from certain *acts* to prevent machines, and as far as *it* [they] can extend to perſons.". In p. 79, " The repreſentatives of the the nation, *which* [who] compoſe the national aſſembly, and *who* [which] are the legiſlative power, originate in the people by election, as an inherent right." This terrible ſentence had ended better thus: " The repreſentatives originate in the people, *who have an inherent right to chooſe repreſentatives*."." In p. 115, " What are the preſent governments of Europe, but a *a ſcene* [ſcenes] of iniquity." In p. 116, " Since the taking [of] the Baſtile." But of ſuch quotations from Mr. Pain's pamphlet there would be no end!

Under the head of *grammatical purity*, the critics proceeded to remark, that pure Engliſh neceſſarily requires, that the words be Engliſh; that their conſtruction be in the Engliſh idiom; that the words be employed to expreſs the preciſe meaning, which cuſtom has affixed to them. The fault of uſing words which are not Engliſh, has been called by grammarians

BARBARISM

Thus Mr. Pain uſes the following words which are not Engliſh: in p. 67, *Punyiſm*; in p. 74, *Intolleration*; in p. 77, *Anti-political*; in p. 35, *Degradedly*;

gradedly; in p. 80, *Deſignates*; in p. 81, *Right-angled*; in p. 85, *Priorily*; in p. 96, *Diſreſpected*; in p. 104, *High-beneficed*; in p. 110, *Impreſcriptible.*

The ſecond fault, which conſiſts of not making uſe of the words in the Engliſh idiom, philologiſts have agreed to denominate

SOLECISM.

Mr. Pain, for example, has uſed, in page 66, "*Chivelry* character:" now *chivelry* is not an adjective. In p. 76, "By engendering the church *with* the ſtate, a ſort of *mule* animal is produced."—In p. 71, "He *degenerate* the human ſpecies." *Degenerate* is not an *active* verb. In p. 80, "Neither can he uſe it *conſiſtent* [conſiſtently] with the conſtitution." In p. 84, *both* is uſed to couple plusral. In p. 85, "The nation ſhowed no diſpoſition to *riſe* [rouſe] from its lethargy." In p. 95, "The crowd threw out *trite* expreſſions:" he perhaps meant *tart.* In p. 96, "The *king*, as if *uneonſulted upon* with the cabinet." In p. 101, "They *ſituated* [placed] themſelves in three chambers." In p. 109, "The conſpiracy being thus *diſperſed* [diſſolved] or [the conſpirators being diſperſed]. *Soleciſms* abound ſo much in Mr. Pain's pamphlet, that they may, indeed, be ſaid to occur in every paragraph.

The third and laſt claſs of faults againſt purity of language, the critics arranged under the head of

IMPROPRIETY.

In p. 88, Mr. Pain remarks, "That *the de*plomatic character is the narroweſt ſphere of ſociety that a man can act in:" thus, with his uſual violence, he converts his *ambaſſador* into a *globe.* "And a *de*plomatic," [*di*plomatic] he adds, "is a ſort of unconnected atom, continually repelling and repelled."

We

We have no ſuch *ſubſtantive* as *diplomatic*, which, as a foreigner, is hardly endured as an *adjective*. "But this, ſays Mr. Pain, page 88, "was not the caſe with Dr. Franklin. He was not *the de*plomatic of a *court*, but of *man*." He meant to have ſaid, this philoſopher is the *envoy* of mankind. But of *de*plomatic enough! In p. 89, Mr. Pain ſays hiſtorically, "That the then marquis de la Fayette was in cloſe friendſhip with the civil government of America, as well as with the military line." Private friendſhip with a civil government; friendſhip with a line!! In p. 81, Mr. Pain remarks, "That the addreſſes of the Engliſh parliaments are not of foreign extraction, but originate from the Norman Conqueſt: they [the ſaid addreſſes] are evidently of the *vaſſalage* claſs of * manners; and," he adds, "that this *vaſſalage* idea *and* ſtile of ſpeaking *was* [were] not got rid of in 1688." Submiſſion," he proceeds †, "is wholly a *vaſſalage term*, repugnant to the dignity of freedom, and an *echo* of the language uſed at the conqueſt." Thus *ſubmiſſion* is an *echo* of *language!!* "The graceful pride of truth preſerves," he aſſerts ‡, "in every latitude of life the *right-angled* character of a man." Such *rectangular improprieties* of language, ill-natured critics might detect in every paſſage; ſince they certainly ſtand in every paragraph of one hundred and ſixty pages ‖

The critics cloſed their ſtrictures, with regard to *the manner*, by recommending to Mr. Pain, with more good nature than generally relaxes the brow of criticiſm, to ſtudy the Engliſh language. With his abilities, and the aid of philology, they declared he might ſoon qualify himſelf to write *Engliſh*, ſuch as an Engliſhman would endure. They

* Page 82.

† Page 82. ‡ Page 81.

‖ See p. 79, 84, 91, 104, 108, 108-9, 120, 122, 125, 126, 127, 129, 130, 131, 132, 133, 136, 139, 140, 146, 147, 149, 150, 152, 154, 155, 156, 157, 159, 160, &c.

They kindly adviſed him to begin with *Aſh's Inſtitutes*, to proceed to *Prieſtly's Rudiments*, to go on to *Lowth's Introduction*, and to end with his friend *Horne Tooke's Diverſions of Purley*.

To this elaborate criticiſm there is a ſhort anſwer. Let the quotations be allowed to be accurate *; and an unqueſtionable fact will furniſh a proper reply: the manuſcript of *Rights of Man* was reviſed and altered by Mr. Brand Hollis, and a committee of Democrats, as before-mentioned. Now, the Editors, who uſe the freedom to change the ſtyle of their author, are anſwerable for the conſequences. It was unkind alſo in the Conſtitutional Society, formed, as it is, of Doctors of Law, Doctors of Divinity, and Doctors of Phyſic, to recommend the *caſtrated* edition of Jordan, before they had *tortured the ſtyle*.

The critics proceeded, *Secondly*, as they had propoſed, from the language to the ſentiment; from the *manner* to the *matter* of our author's great performance.

This is a diſquiſition, ſaid they, with regard to RIGHTS OF MAN. By thus ſuppreſſing deſignedly the article *the*, he ſhews his intention to be, not to treat of the whole rights of mankind, but of particular rights. And, with great propriety he follows up his evident purpoſe, by enlarging chiefly on the *ſavage rights* of man, without regarding much their *ſocial rights*.

When he dedicated his book to *George Waſhington*, he ſeemed however, ſaid they, to depart ſomewhat from his previous deſign. He now wiſhed, that *the* rights of man might become as univerſal as Waſhington's benevolence. They doubted the propriety of our author's ſentiment; becauſe *the* rights

* The Critics appear to have uſed the genuine edition of Johnſon.

of man muſt be as univerſal as the reſidence of mankind.

The critics were thence led into a very learned inquiry into *the cauſe that* NONSENSE *ſo often eſcapes being detected, both by* THE WRITER *and* THE READER. They were at no loſs to diſcover various cauſes of this phenomenon; namely, confuſion of thought; affectation of excellence; want of meaning: and conſidering, that our author's pamphlet had been affectedly praiſed and politically propagated, they ſeized ſo good an occaſion to give illuſtrations to their ſalutary doctrine, by exhibiting their various examples of our author's

NONSENSE.

In page 48 it is ſaid, "That the duty of man is "not a wilderneſs of turnpike gates, through which "he is to paſs by tickets *from* one to the other." Here, ſaid the critics, the author in attempting to give a ſpecimen of fine writing, wrote without meaning. In p. 51, "That governments might "avail themſelves of every engine in their favour, "they united fraud to force, and ſet up an idol, "which they called *Divine Right*; and which, in "imitation of the Pope, who affects to be ſpiritual "and temporal, and in contradiction to the founder "of the Chriſtian religion, twiſted itſelf afterwards "into an idol of another ſhape, called *Church and* "*State.*" Here is an inſtance of the unintelligible, from the length of the ſentence. In page 66, Mr. Pain quotes it as a maxim, "*Titles* are but *nick-*"*names*, and every nickname is a *title*;" and he ſtates it as a *fact*, "That it is properly from the elevated mind of France, that the folly of titles have [has] fallen." This writer is not more happy in his religious opinions; in p. 74, "Toleration is not the *oppoſite* of *intoleration*, but is the *counterfeit* of it.

Both

Both are deſpotiſms; the former is church and ſtate, and the latter is church and traffic." Mr. Pain was thence led on to ſpeak, in page 80, of the *fountain of honour:* "In England, *a* king is the fountain; but as this idea is evidently from the Conqueſt, I ſhall make no other remark upon it, than that it is the nature of conqueſt to turn every thing upſide down; and as Mr. Burke will not be refuſed the privilege of ſpeaking twice, and as there are but two parts in the figure, the *fountain* and the *ſpout*, he will be right the ſecond time." After this *tranſparent* elucidation of the *fountain of honour*, he naturally tells, in p. 138, what a *parliament* is: "What is called the parliament, is made up of two houſes; one of which is *more* hereditary, and *more* beyond the controul of the nation, than what the crown, (as it is called) is ſuppoſed to be." He goes *beyond* even this, in p. 139: "The continual uſe of the word *conſtitution*, in the Engliſh parliament, ſhews there is none; and that the whole [of what] is merely a form of government, without a conſtitution." As an illuſtration of this mode of writing the ſublime, the critics quoted the famous couplet of two illuſtrious authors:

"My wound is *great*, becauſe it is ſo *ſmall*;
"It would be *greater*, were it none at all.

Mr. Pain thence deſcends to meaner matters, and gives in page 144, a *mathematical eſtimate* of the quantity of money: "Liſbon and Cadiz are the two ports into which [money] gold and ſilver from South America are imported, and which afterwards divides and ſpreads *itſelf* over Europe, by means of commerce, and increaſes the quantity of money in all parts of Europe." The critics at laſt exclaimed:

"How vaſt a head is here without a brain!"

But

But they had ſoftened this ſeverity of animadverſion, had they known then what is now known, that Mr. Brand Hollis and the committee of democrats corrected the manuſcript, and that Jordan, the bookſeller, caſtrated the copy *. Such freedoms are the more reprehenſible, as they leave the republic of letters to diſpute *the identity* of the book, and after times to inveſtigate the real ſentiments of ſo great an author.

After ſo learned an expoſition of the cauſes *why writers write*, and *readers read* NONSENSE, without perceiving that they write and read *nonſenſically*, the critics proceed regularly to review *the matter* of Mr. Pain's pamphlet under the *three heads*, into which he divides himſelf: *the argument; the hiſtory; the miſcellaneous.*

It was a ſad ſight, ſaid they, to ſee at the opening of the controverſy, ſo able a polemick as Mr. Pain turn his back on his opponent. Mr. Burke every where conſiders the Britiſh Conſtitution as an *actual authority*, and the legiſlative power, the executive power, and the judicial power, which are emanations from it, as *exiſting energies*, which preſerve the quiet of the public, and produce the happineſs of the people. On the other hand, Mr. Pain throughout *his argument*, not only ſuppoſes, but aſſerts, that *the Britiſh Conſtitution no where exiſts*; that the conſtitutional ſyſtem, conſiſting of the legiſlative, the executive, and judicial powers, were its exiſtence acknowledged, has no valid authority to direct or puniſh any *grown man*. As a logician, then, he ſuppoſes what he ought to prove; and as a philoſopher he aſſerts, much more than argues, againſt incontrovertible

* The caſtrating hand of Mr. Jordan appears in the title-page; he there makes Thomas Paine, a *ſecretary of foreign affairs* to Congreſs, inſtead of *the ſecretary to a committee of Congreſs* for foreign affairs. The clerk of the Houſe of Commons, and the clerk of a committee of that Houſe, are quite diſtinct officers.

vertible facts. Thus, Mr. Pain, as a bruiſer, *ſhifts* before he is *ſtruck*, and falls before he has put in his blow. And thus the bully, who turns his back, and ſhifts, and ſinks, even before the *ſet-to*, ſhews that he is conſcious of his own weakneſs, or fears the ſtrength of his antagoniſt.

The great art, ſaid the critics, of Mr. Pain, as a polemick, conſiſts in miſquoting plainly, or miſrepreſenting deſignedly, the poſitions of his adverſary. Mr. Burke ſaid ſarcaſtically, that every future king of England would ſucceed hereditarily to the government, in contempt of *the Conſtitutional Society*. Mr. Pain now converts, by the magick of his wand, this plain aſſertion of fact and law into a poſitive affirmation of an hereditary ſucceſſion *in contempt of the people*: and he thereupon enjoys, through twenty pages, the triumph of his own artifice; without reflecting, that the day of detection would come, when the ſophiſter would be exhibited to his own *ſentimental mob*, as an object of ridicule.

In treating of *rights of men*, ſaid the critics, Mr. Pain either artfully, or ignorantly, refers always to the rights of ſavages; never to the rights of *citizens*. How ridiculous is it to reaſon about the circumſtances of men who do not exiſt on earth. Within the wide circumference of the globe, there have not been found a people, however ſavage, who had not ſome rules of action. A fair reaſoner, then, was bound to refer, in his argument, to thoſe rules, as exiſting energies. Every nation, however civilized, or however ſavage, has its own *civil* rights, which are the reſult of thoſe energies; we ſpeak familiarly of the rights of Engliſhmen, the rights of Dutchmen, and the rights of Ruſſians. All thoſe various rights ſpring out of their ſeveral ſyſtems. If there be a queſtion with regard to the rights of Engliſhmen, we muſt refer for a ſolution to the laws of Engliſhmen.—And, in the ſame manner, if it be inquired, what fact conſtitutes the crime of *ſwindling* in England,

we

we muſt refer to the ſtatute, which deſcribes the offence; ſo of perjury, forgery, and other offences, which, as they infringe the rights of particular citizens, are regarded as attacks upon he whole ſociety.

All this was premiſed, ſaid the critics, in order to enable the reader to determine the grand queſtion, which was debated firſt between Dr. Price and Mr. Burke, and, ſecondly, betwixt Mr. Burke and Mr. Pain, as to the manner of *caſhiering government*, and *chuſing governors*. Among cool reaſoners, it muſt be allowed in argument, that if every man, woman, and child, in any community, were to vote for caſhiering government, they have a right to give ſuch a vote, and to appoint new governors. But, did every man, woman, and child, ever meet for ſuch purpoſes? Never. Will every man, woman, and child, ever meet for ſuch purpoſes? Never: for it is phyſically impoſſible, that every man, woman, and child ſhould ever meet together for any purpoſe. To talk of deputies is not to conquer the difficulty. The very appointment of delegates to do any act is an advance within the limits of ſociety: but Mr. Pain is in a ſavage ſtate; he is arguing about *rights of men* who have not yet entered into ſociety; and, therefore, it is not allowable, in candid diſcuſſion, to mingle different rights together; to borrow from the laws of ſociety, in order to ſupport the feeble condition of ſavageneſs; and yet, to inſiſt, that he adopts none of the notions of ſociety, for the uſes of ſophiſtry.

This grand queſtion, then is to be determined by the maxims of general ſociety; by the rules of the particular ſociety of Great Britain. Thus much being ſettled, ſaid the critics, there can be no doubt, that according to the laws of the land, every man, any number of men, any community, may petition for redreſs of grievances; for the repeal of an old law, or the introduction of a new one. This is done daily, during the ſitting of parliament, and it is done rightfully

rightfully. About this right, then, there is no queſtion.

But the queſtion is, whether, according to the laws of Great Britain, any man, any number of men, any club of men, may attempt by violence to caſhier governors, to change government, or to alter the conſtitution. The anſwer is, that the laws of Great Britain do not allow ſuch attempts; that the laws of Great Britain puniſh all perſons, as traitors who make ſuch attempts. Thus Lord Loughborough explained the law, upon the point, when he delivered his charge to the grand jury, in the Borough, who were to indict the rioters, in 1780*. Thus upon the trial of Lord George Gordon, Lord Mansfield declared the opinion of the whole Court, which was not controverted by any lawyer or any man. Lord Mansfield went a ſtep further: as there had been ſome doubts, he declared the opinion of the judges to be, that though every one, and any number of perſons, had a right to aſk for the redreſs of grievances, yet the petition muſt be preſented by no more than ten perſons, or the parties would be puniſhed as criminals †

But this mode of reaſoning has no weight with Mr. Pain. He declares the conſtitution of Great Britain not to exiſt; the laws not to exiſt; the government not to exiſt. We are now, ſaid the critics, diſcuſſing an important ſubject candidly. It is not ſufficient to *aſſert* any poſition from, which intereſting deductions are to be drawn; upon which *Revolutions* are to be built. Every reaſoner muſt prove his own premiſes, before he be allowed to draw

* The critics generally uſe ſuch authorities as they have at hand: and they quoted, on this occaſion, that uſeful book, Dodſley's Regiſter, 1780, p. 277, for Lord Loughborough's *celebrated charge.*

† Dodſley's Regiſter, 1781, p. 236, for Lord Mansfield's more celebrated charge to the jury.

draw his concluſions. Now, as it is a fact, to the truth of which the ſenſes of a whole nation bear teſtimony, that the conſtitution, and laws, and government, of Great Britain do exiſt, we are obliged, ſaid the critics, to tell Mr. Pain, that as a reaſoner he argues here, and through the greater part of his pamphlet, moſt illogically; becauſe he conſtantly reaſons againſt facts.

When it is once admitted in argument, becauſe it cannot be denied, that Great Britain is a formed ſociety, having a conſtitution and laws, it follows as an undeniable conſequence, that all the political caſes in Mr. Pain's pamphlet are to be determined by a reference to the code; to the body of laws. It is, therefore, unphiloſophical in Mr. Pain, to refer continually in his reaſonings, to a ſtate of ſavageneſs that does not, in fact, exiſt; or, indeed, to any other ſtate than the laws of the particular country, about which he treats. And as old men, ſaid the critics, we are thus led to ſuſpect, that the ultimate object of Mr. Pain, and of thoſe who circulate his tract, muſt be, to give themſelves little trouble about the conſtitution and laws of Great Britain, when they can collect numbers enow to annihilate all by a tumult.

We were urged, ſaid the critics, by our years and our apprehenſions, to look forward from ſuch reaſonings and ſuch an object, to *the end*. What would be the immediate conſequences of annihiliating *the conſtitution* and the laws by a *tumult?* All the rights of ſociety, which are emanations from them, would be annihilated by the ſame ſtroke of violence. Whoever holds any right under the common law, would loſe it; whoever enjoys any privilege under an act of parliament, would loſe it; whoever partakes of any franchiſe from a charter, would loſe it: for all thoſe rights are derived only from

from the laws of ſociety, and the foundation being removed, the ſuperſtructure muſt fall. Yes, ſay the metaphyſical reformers, with wonderful apathy, all this and more would happen, if ſuch events were not prevented; but we can remove your apprehenſions by a *ſingle vote*, that ſuch miſchiefs ſhall not enſue. Having lived long enough, ſaid the critics, to prefer preſent enjoyment to future expectation, we would not truſt our liberty, our effects, and our lives, to the promiſed vote of a metaphyſical mob.

Thus much, then, with regard to the *argument* of Mr. Pain's pamphlet. The critic's proceed, *ſecondly*, to conſider the *hiſtorical part*. As an hiſtorian, Mr. Pain plainly takes his ſide. He avows his purpoſe, to elevate one party, and to depreſs the other. A party pamphlet may anſwer a party purpoſe: but mankind agree to reprobate a party hiſtory. The ſtyle, which in hiſtory is of eſſential conſequence, being written to pleaſe and inſtruct, will, no doubt, gratify all thoſe who find delight in bad grammar and falſe idiom; in harſhneſs of expreſſion and feebleneſs of pauſe. It was reported in 1784, we may remember, that Mr. Pain intended to write the hiſtory of the American war: but, from this ſpecimen of his impartiality and his language, we are led to imagine, that, however many readers he might meet among the heroes of his tale, he would find few in Britain.

The critics proceeded, *thirdly*, to the *miſcellaneous part* of Mr. Pain's pamphlet. As they had ſaid already ſo much of ſociety, government, and law, they chiefly reviewed what he delivered on *political œconomy*. All that he had retailed in his *Proſpects on the Rubicon*, with regard to money and credit, and commerce, he interweaves into his *Rights of Man*. As he deals much in dogmas, he now diſpoſes of

great variety of ſuch goods. He is, however, chiefly anxious to prove, that there is no wealth but money. The cattle of the farmer are not wealth, it ſeems; whatever wares the ſhop-keeper may have in the warehouſe, he is not wealthy, if he have no money in the till; the knowledge and induſtry of a tradeſman are not wealth, if he have no caſh in the cheſt. By thus aſſerting money alone to be wealth; and ſhewing how much coin had been brought into this iſland, and how little remained; he endeavours to prove, that Great Britain has at preſent leſs commerce and opulence, than in former times. He has no notion, it ſeems, that there is a traffic in bullion. He does not know, that foreign coins are continually imported and ſent out, juſt as there is a demand for them at home or abroad: but, ſaid the critics, ſince the people were inſtructed by *the Political Oeconomy* of Steuart, and *the Wealth of Nations* of Smith, they are not to be captivated by ſuch ſophiſms and and fooleries.

The foregoing criticiſm, with all its elaboration, admits of a ſatisfactory anſwer. Let the truth be told, and juſtice be done, whatever may be the conſequences. Our author knew, that he aſſerted what he could not prove; that he miſrepreſented what he could not controvert; that he aimed to delude rather than convince: and his deſign to vent his prejudices, and ſerve a party, muſt be carefully ſcanned, before his merits can be accurately ſettled either as a writer or a man. We foreſee, but we deſpiſe the retort, which malignity may make, that in order to eſtabliſh his abilities you muſt ſacrifice his morals.

Notwithſtanding the *reviews* of criticiſm, our author received the applauſe of party. Nay, philology came in the perſon of Horne Tooke, who found his retreat after ſome inquiry, to mingle her gratulations

gratulations with the thanks of greater powers; *You are*, ſaid he, *like Jove coming down upon us in a ſhower of gold.* Our author was highly gratified by ſuch attentions; yet he was not happy: he plainly wiſhed for ſomething that was ſtudiouſly withheld. Like honeſt Rouſſeau, he longed for proſecution. While fluttering on the wing for Paris, he hovered abut London a whole week, waiting to be catched, not by the catchpoles of creditors, but by the runners of Bow-ſtreet.

Yet, the meſſengers of the preſs would not meddle either with his perſon, or his pamphlet. Upon what motives the government of England acted, with regard to both, we have never heard. Whether the miniſter truſted to the good ſenſe of England, which generally gains the aſcendant; whether they left his *ſtyle* to be detected by the ſchool-boys of England; whether they relinquiſhed his ſentiment to be deſpiſed by the men of England; whether they gave up ſuch a character to the contempt of the women of England; we may conjecture but cannot tell.

At length, ſtung by diſappointment, our author departed for France, about the middle of May, 1791. He ſoon found that his preſcriptions had worked wonders. The land was tranquil: the people were happy. Yet, in the midſt of this tranquility and happineſs, the *executive power* departed from Paris: The *executive power* was ſoon arreſted by the *executive power*. Theſe events induced our author to obſerve, with his *uſual coolneſs*, to his congenial friend, Mr. Thomas Chriſtie: "You "ſee the abſurdity of monarchial governments; "here will be a whole nation diſturbed by the folly "of one man*!" Thus the tongue continually blurts

* See Mr. Thomas Chriſtie's letter, dated from Paris, June 22d, 1791; and publiſhed in the Morning Chronicle, of the 29th of June, 1791.

blurts out the prevailing thoughts of the heart! The experience of ſuch men had never taught them what miſchiefs had ariſen, in every country, from the madneſs of the multitude.

An example ſoon occurred, which ought to have inſtructed both: a *ſentimental mob*† aſſembled in Paris, to behold the executive power return; and concurrence of opinion led our author to mingle with *the many*, on that pleaſing occaſion. An officer proclaimed the will of the National Aſſembly that all ſhould be *ſilent* and *covered*. In a moment all tongues were ſtill; all hats were on. Not ſo our author: He had loſt his cockade; and to have a hat, without a cockade, was treaſon. A cry aroſe, *Ariſtocrat! Ariſtocrat! A' la lanterne! A' la lanterne!* Whether he preſerved his *uſual coolneſs*, during this uncommon danger, we are unable to tell. A Frenchman, who could ſpeak Engliſh, deſired him to put on his hat: But, the hat having no cockade, he was involved in a ſad dilemma, and the ſentimental mob was at length in ſome meaſure ſatisfied by prudent explanation. Our author was now left to balance cooly in equal ſcales, whether the folly of one man, or the madneſs of the multitude, be moſt miſchievous, be moſt inconſiſtent with freedom. Metaphyſical prejudice, like the jaundice, gives a yellow colour to every emanation of the mind. And we may eaſily ſuppoſe, that our author, like other men who confound liberty and anarchy together, was not even now convinced, by his perſonal danger, that there is no ſafety for property, freedom, or life, in a country, where the individual may be inſtantly executed, for having no cockade in his hat. He returned to London juſt time enough to partake in the celebration of the French Revolution, on the 14th of July, 1791.

Biography

† Id.

Biography treats only of the paſt. Prophecy alone can reveal the future. And, as we are not prophets, we will not conjecture with regard to our author's ſubſequent life and *fate*.

FINIS.

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